

## A Look Back at the Erdos Case

The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project

### A LOOK BACK AT THE ERDOS CASE

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#### Introduction

A bloody murder occurred August 30, 1971, in our embassy in Santa Isabel, capital of the turbulent, newly independent republic of Equatorial Guinea, located on the hinge of West Africa. As Ambassador to that country and resident in neighboring Cameroon, I was responsible for that small post, which was manned by two Foreign Service personnel, Counselor Alfred J. Erdos and Administrative Assistant Donald Leahy. Over the past 25 years since that fateful day, I have been unable to rid myself of troubling concerns about the personalities and character of the two parties directly concerned, Erdos (the murderer) and Leahy (the victim); the international and American domestic law triggered by the case; the Washington bureaucracy involved; and the diplomacy, including US-Equatorial Guinean relations. This is a personal effort to address these concerns. Many have questioned the wisdom of reopening a case which caused considerable pain and embarrassment for the families and governments concerned. I am sensitive to the anxiety of those parties and therefore have chosen to produce a memoir for my private use rather than for the public at large.

It is of some interest that this is the first time in Department of State history that a killing has occurred within an American embassy abroad. In this sense the case explored new law.

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After 25 years, documentation is incomplete, and therefore I have had to resort to my aging memory and to that of others who were touched by the incident. Some major actors in this drama have passed away. Some prefer to remain silent. My hope is that Jean Erdos, the widow of Al Erdos, who probably knows most about her late husband's behavior, has kept a diary. She is in ill health, and I have not pressed her to speak up in this instance.

I have divided this essay into these sections:

- Introduction

- The Setting

- The Men

- The Buildup to the Event and the Event Itself

- The Aftermath

- The Trial - The US v. Alfred Erdos

- The Appeal

- After the Judicial Process

- Reflections

- The Setting

John Le Carr# rings a familiar bell with this indictment of Panama:

“Panama is a beautiful country, with splendid people, coast lines, mountains, pastures, forest, and out islands. Will sloth, corruption, and stupidity ruin this little paradise, as they

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have ruined so many others?" (John Le Carr#, *The Tailor of Panama* (Knopf New York, NY, 1996).

Transpose Equatorial Guinea for Panama and you will have a fair picture of the country which the tyrant Macias virtually destroyed in three short years between independence from Spain in October 1958 and the murder in August 1971. Speaking of Panama and the arrest of Noriega, Le Carr# has this to say: "They got rid of Ali Baba," ran the joke after the U.S. invasion, "but they missed the Forty Thieves?" Once again, the transposition to Equatorial Guinea is apt. Macias was finally deposed in 1979 and met summary justice at the hands of his nephew, who, with his cronies, continues the rape of this beleaguered land.

William Borders in *The New York Times* of May 6, 1971, called the Macias regime

"...one of the most repressive governments...Arbitrary arrests and beatings are common. Legions of secret policemen, undisciplined soldiers and a militant youth squad maintain a climate of fear...Diplomats in the large new Chinese Communist Embassy here are presumably warning President Macias against Westerners and advisers sent by [Guinean] President Toure are presumably warning him against all white men. But the violence and terror are by no means directed only at Europeans. Last year, the wife of a Government security chief denounced her husband as a conspirator and he promptly disappeared. According to one report he was tied to a spiked stake and beaten to death."

Borders' article created a brouhaha with the government, and Erdos had to explain that the American press was free and the U.S. government should not be held responsible for such opinion.

Up until independence in 1958, the Spanish ran a fairly typical colonial operation. Equatorial Guinea had a bright potential with a healthy economy based largely on cacao and with a reasonably well-developed infrastructure in school and health services. It was expected that most of the 7,000 Europeans would remain after independence, but

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that was not to be. President Macias, who for years had shown irrational behavior and worse, began early to find pretexts to frighten Spaniards away and to take over their assets. Nigerian workers, the mainstay on the cacao plantations, were harassed beyond endurance and fled the country, as did eventually one quarter to one third of the population terrorized by the Macias regime. Special targets on the island of Fernando Po, where the capital of Santa Isabel is located, were the Bubis, who were accused of secessionist motivation and were physically abused; many were killed.

As early as March 1969, Newsweek reported that in only a few months after independence the Macias government had brought the country to “the verge of ruin...The treasury was empty. The Cabinet was rent by violent quarrels...His Foreign Minister and UN Representative were beaten to death.”

Santa Isabel remained an architecturally attractive place nestled at the foot of a volcano on a deep harbor which had attracted seafarers over the centuries. But the population was cowed by Macias' thugs, who took away suspects, without charges in most instances, and who often were not heard from thereafter. The opposition was thus effectively throttled. Macias' ministers routinely disappeared when they displeased or seemed to threaten him. The terror struck at the lower classes as well, including local employees of the American embassy and the residence of the Chargé d'Affaires. Erdos got no response from the government to his urgent queries about his employees' whereabouts or welfare. Spanish, Nigerian, and other foreigners suffered similar brutal treatment. Here are comments by African expert Randall Fegley:

Macias was a maniac with a record of corruption, sadism, and psychiatric disorders which extended back many years before independence....No one, either citizen or foreigner, was free from the fear which surrounded his regime (of 11 years, 1968-1979)... Proportionally his rule equaled that in Nazi-occupied Europe in terms of brutality. In a tiny country (with an estimated population of 250,000) at least 20,000 people were killed. Another one sixth of the population was forcibly recruited as slave laborers on cacao and coffee

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plantations and timberlands. One out of three Equatorial Guineans became a refugee. Economic and cultural activity simply ceased...Macias broke the power of his political opponents and countered the influence of the Roman Catholic church, one of the few powerful institutions...Madness had gripped his mind at a conference in November 3, 1967, when he said, "I consider Hitler to be the savior of Africa...He claimed to be an atheist, a Catholic, a Fang traditionalist, a Marxist and an African nationalist, but didn't know enough about any of these beliefs to avoid contradicting himself every time he spoke on them. He could never live up to the standards set by his heroes. He could never be as efficient as Adolf Hitler, as regal as Haile Selassie or as patient as Franco. Macias was a failure. No failure was more important to Francisco Macias Nguema than his inability to procreate. He liked to be known as the father of his people, but the hard truth was that he was impotent...Macias kept two mulatto mistresses: Frieda Krohnert, the granddaughter of the German emigre Otto Krohnert, and Monica Bindang, the daughter of a Spanish Civil Guardsman. Eventually, Macias married the latter. Promiscuous and illiterate, Monica had been his mistress since 1964. As president, Macias murdered most of her lovers...Along with his blindness, his drug habit, his obsession with the mystical, his lack of education and his other inferiority complexes, Macias' impotence drove him to madness.

Another expert, Robert af Klinteberg, offers his analysis of the inner workings of the mind of "the Unique Miracle," one of Macias' titles:

"The picture...begins to emerge of a person who is victim as well as perpetrator of his deeds, unlearned but shrewd, dynamic but without direction, ruthless...sensitive, lonely and haunted. He is a man who is not regarded as a man by his own people and whose desire for recognition and love takes on the preposterous expression of his mania for titles and the personality cult he has created. His personality combines intelligence and humor, albeit often bitter and sarcastic, with a need for the grossest flattery imaginable and coupled with amazing megalomania." (Randall Fegley, *Equatorial Guinea: An African Tragedy* (New York: Peter Long Publishing Inc., 1989).

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A French writer, Rene Pelissier, said, "No where else in modern times had a tyrant of Macias' magnitude managed to destroy his country and annihilate his own people so extensively and persistently."

While writers Fegley, Klinteberg, and Pelissier gave their impressions of Macias after 1971, Erdos and other Santa Isabel residents saw and felt the beginning of this expanding terror in the early years of the republic.

The day before the murder the last American, an employee of a UN agency, departed. This fact apparently preyed on Erdos' already disturbed mind. Restrictions on his travel and that of other Western diplomats were tight; none could use the beaches or move out of the small capital. The numerous Communist diplomats seemed to be under considerably fewer restraints. Equatorial Guineans were afraid to speak with foreigners. Officials of the government were generally unavailable for social occasions. A particular distress derived from a police station opposite the Erdos resident. Screams from prisoners undergoing torture were clearly audible, as were the grieving relatives of the victims.

When Erdos spoke to me of the above circumstances, I told him that it would be proper for him to close the embassy and to go to Douala for a break. He did so once or twice during the period from April to August, and he also visited Yaounde for a meeting of American ambassadors in the region.

Shortly before the murder, the Equatorial Guinean ambassador to Cameroon was seized. Under torture, he may have accused Erdos of being part of an armed conspiracy. Erdos heard rumors that there would be retaliation against the U.S. and possibly him personally.

Early in Erdos' tenure, two incidents illustrated further the pressures on American residents.\* The local representative of Chevron, for no apparent reason, assaulted an American employee of the U.S. Center for Disease Control (CDC) on a Douala-Santa Isabel flight. The aggressor, who apologized to the CDC man and who could not give a

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reason for the attack, was seen shortly thereafter roaming the streets of Santa Isabel with a hang-dog expression and carrying a foot long plastic statue of Madonna.\* The wife of the same CDC employee had to be evacuated medically to Cameroon; her psychiatric problems were not revealed publicly. The employee himself then developed a martyr complex, accusing the U.S. government of unfairly using him for political purposes. With his departure, the only U.S. program (measles and smallpox prevention) was shut down.

Erdos' efforts to start a self-help program, which he enjoyed handling at his previous post (Niamey), also came to naught, leaving him essentially with only listening post functions to perform, and this without a local staff and with what he considered an incompetent American assistant.

There was, of course, much listening to do. On June 2, 1971, I prepared a midyear estimate of the situation and Erdos concurred in it. The negative factors which we saw were headed by Macias, a ruthless and unbalanced, if not psychotic, tyrant. We found his administration virtually moribund with Macias insisting on making all decisions or leaving them unmade:

“The result is ministers and administrators fearful of taking any action, government by decree, no apparent budget, a growing financial crisis, extravagances like two new central banks, an unnecessary presidential plane (Soviet), an elaborate presidential palace in Bata, and economic distress if not hardship at virtually all levels of a disgruntled society. In the economic sector, the agreement with Nigeria for indispensable workers for the cacao plantations remains unratified on the Equatorial Guinean side and thousands of Nigerian workers depart periodically, leaving gradually deteriorating plantations in their wake. Much hope is focused on the talks with the Spanish authorities on a sequel to the Spanish subsidy agreement, but observers are generally skeptical over optimism expressed by local Spanish representatives in this connection. The steady drift toward the left is manifest in the revolutionary rhetoric of Macias, the steady growth of three already large Communist diplomatic missions (Soviets, North Koreans, and Chicoms), the continuing

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arms supply from Soviet sources, the arrival of Chinese road-builders, continued influence of radical African leaders on Macias, and an expected East German diplomatic mission. The major negative weight on the scale is the continued political instability centering on the unstable leader of the country. Macias is almost fully preoccupied with protecting his person from real or imagined threats, asserting his authority throughout a restless country, and functioning more like a tribal chief than a responsible African leader. More and more observers speak of his deteriorating mental health, to which must be added apparent physical indispositions of possibly serious dimensions. He had allowed himself to be surrounded by a motley group of advisers and flunkies, many of whom maintain their positions by intrigue and sycophancy. He treats his ministers like servants, having them frisked as they enter the palace and recently fining several of them for not appearing for work at eight o'clock in the morning, a most un-African and un-Spanish requirement. Add to this potent brew a national malaise, a reportedly uneasy Army and an increasingly apparent opposition and one can easily envisage the boiling over of the Equatorial Guinean pot."

In that situation report, I could find only weak countervailing factors and concluded that our primary role was that of a friendly observer. Erdos concurred in the conclusion: "Our small diplomatic presence is still apparently desired and should be maintained as long as it is tolerated and if it can be done at no serious risk to our personnel. An official American presence is still a source of strength and hope for other Western governments represented here, as well as for the vast majority of the Guinean people who retain a positive image of the United States. Our departure would certainly discourage these elements which are working for moderate change within this troubled republic."

A footnote to all this was virtually subsistence living for all but the government elite. Diplomats had to bring in most foodstuffs and consumer goods. Local fish and produce were rarely available. Proper medical services were nil. Utilities rarely functioned, making generators for the office and residence mandatory.



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### The Men

Alfred John Erdos was born in New York (Brooklyn) of Hungarian immigrant parents on December 12, 1924. By one account, his mother died when he was five. He attended public schools and graduated from Brooklyn Technical High School in 1942. He took courses at CUNY (business administration). From 1943 to 1946 he served with the U.S. Army. He listed his Army assignments as follows: August 1943-March 1945, T-4 rating; major type of duty—MP, Ordnance Mechanic. ETO: Northern France, Ardennes, Rhineland, Central Europe. He graduated with a BS in Foreign Service at Georgetown University in 1952. He studied also at the Institut d'Etudes Politiques in Paris in 1950 and at the University of Madrid, 1950-51 (he was in the humanities). From 1951-52, he was a Junior Assistant Representative of the Banque de Bruxelles in New York City. He entered the Foreign Service in 1952, having passed the tough entry exam (average washout rate: 9 out of 10).

I knew Erdos casually and socially in 1951, when we both were awaiting our first assignments. He impressed me as a typical young Foreign Service Officer of quiet demeanor and normal ambition.

In 1952 he received a particularly glamorous assignment as special assistant to Ambassador Jefferson Caffery, one of the most distinguished and demanding of the old school diplomats, at the important post of Cairo. It was there that my sister-in-law, a single woman traveling with her mother, was introduced to Erdos, who squired her around Cairo and up the Nile and who pursued her later with warm correspondence. He again left the impression of a typical Foreign Service Officer doing his best professionally and socially. He was described by this source as friendly, personable, correct, and warm. He kissed her on his third date.

A Foreign Service Officer who worked closely with Erdos in the Office of International Conferences in the Department 1957-59 and who had social relations with him as well

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found him “thoroughly pleasant, a good conversationalist and easy to get along with...he had a very good sense of humor...I got the impression that he was not interested sexually in women. This is not to say that he was indifferent but rather interested in women as social beings, as companions, as partners for witty conversations. I concluded that Al was at least a latent homosexual. At no time did he make an approach to me, physically or verbally, however...In some ways he could almost be called a sissy...When the 1971 incident took place and the inevitable scuttlebutt arose, I remember thinking, 'wrong man, wrong job.' There was no way you (i.e., I) could have known this.”

Al, his nickname in the Service, served next, i.e., 1958-1961, as labor-minerals officer at the embassy in La Paz, where a friend spoke of his active participation in a church group run by missionaries. He maintained “a nice house” and was generally well liked. This same friend said that he and his wife thought Al might be eligible to marry his sister or sister-in-law. This friendship continued until 1971, when, on August 16 (i.e., just 14 days before “the event”), Al invited the friend and his wife to visit the Erdoses in Santa Isabel, describing the place as quiet. Al was assigned in 1961 as “a European integration trainee” at a Bologna, Italy facility which was used in those days to help round out officers in European affairs. He moved to Brussels in 1962 as industry officer and then in 1964 to Conakry, Guinea, as head of the economic section. He returned to Washington in 1965 as officer-in-charge of Guinea-Mali affairs and moved up the ladder logically with assignment as number two in the embassy in Niamey, Niger, in 1968, by which time he was married to Jean Davis, a lawyer in the Legal Adviser's Office. He received regular promotions and was an FSO-3 by then. He received a merit honor award in 1969.

I needed a replacement for counselor and Charg# d'Affaires in Santa Isabel since the incumbent, Al Williams, and his wife Carmen, had served two and a half years as a husband and wife team who endured continual hardship but who coped admirably. They, in fact, would have been willing to stay on, but I felt that they had contended with more than we should normally ask of young officers. The Department of State (hereinafter referred to as the Department) proposed Al Erdos as a replacement, which called for a

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steady, cool person. That post had just been awarded a 20 percent hardship differential based upon such factors as political instability, isolation, inadequate medical facilities, and climate, all of these in abundant measure in Equatorial Guinea. I arranged for the Erdoses to come to Santa Isabel to overlap with the Williamses for a week. All concerned, including the Erdoses, were satisfied that they could take it. En route to Equatorial Guinea, the Erdoses stopped in London. A colleague assigned to look after him recalled Al as “colorless to the point of invisibility,” qualities which I considered at the time to be not unsuitable for his new assignment. After hearing of the murder, that colleague commented, “Who knows what evil lurks in the hearts of men.”

The Erdoses, with their two-year-old son Christopher and a dog, arrived at their new post in April 1971. I visited them in May and said to them, in my thank you note, that I was pleased to see them so well settled in that short period of time. I saw Al in Yaounde in June, just before I departed on home leave. He complained about his assistant, Don Leahy, who had arrived in March, and hoped that he could be replaced. I explained that it would probably be difficult to do so after only four months on the job. I promised to take up the matter in Washington and did so.

But there was another Al Erdos whom we at my level and at the level of his supervisors in Washington and at previous posts did not know. His merit award and his superiors' recommendation of him as bright, capable, and “the most unflappable” gave no hint of his subsequent roughness on subordinates in Niamey. In the Department, his departure for Niamey was applauded by those whom he abused. In Niamey, he was universally disliked although he was apparently able to hoodwink his Ambassador, who spent much of this time in the field and who left Al in charge of the embassy for long periods. A subordinate of his described him as a martinet who threw a junior officer across the room for some minor deficiency. Other complaints: he called an officer to the embassy on a weekend to chide him for typographical errors; Peace Corps volunteers walked out on him when he tried to straighten them out; he attempted to run the embassy in Niamey as if it were a sophisticated post like Copenhagen; he said that he got most from his

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staff when he treated them like a drill sergeant; he demanded that staff rise when he, the Charg#, entered a room, a practice which many of us Ambassadors had already abandoned as obsolete. Morale at Niamey plummeted and the staff was happy to see Al moved on to Santa Isabel. One subordinate was so incensed that he complained to an officer in the African bureau in the Department about Al's "bizarre" behavior and his making life miserable for many at the post; he was brushed off with "oh, you know how it is" or something to that effect. An officer of another agency who knew Equatorial Guinea volunteered to us after the event: "Several people at the embassy in Niamey told me how petty, unreasonable and demanding Mr. Erdos was...At dinners at his house, he told Americans to take only one piece of meat the first time it was passed around in case there was not enough to go around...he was an insecure, nervous uptight person who should not have been put under the pressures he had to put up with in Santa Isabel. It seems to me that the State Department could develop some way subordinates of such a man could communicate with the Medical Division or Security without jeopardizing their careers." I sent this report to a senior administrative officer who was prominent in the Erdos case.

In retrospect, we should have been told of this background before having Al assigned to this high tension post. Also in hindsight, we can now see that Erdos and his only subordinate, a below average employee, were a potentially explosive combination in an environment which had very little relief from terror and other hardships. I urged Al to pass on administrative work which Leahy couldn't handle to Yaounde; we took on an increasing workload in this category. The Consulate in Douala did likewise.

The Department Inspectors appeared in Santa Isabel shortly after Al's arrival and found him off to a good start. An administrative officer visited the island in July and reported that the relationships between the two officers was good. He added, "I believe that Erdos is prepared to live with Leahy's deficiencies and is resigned to have him until the end of his tour. Al asked me, in his last letter to me (August 11), to try to shorten Leahy's tour, and I was prepared to go to bat on this request.

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Homosexuality figured significantly in the trial. Erdos denied ever having engaged in any homosexual act. After the event, some expressed suspicions on this score but presented no evidence. A Congressman (Rarick) inserted in the Congressional Record of March 25, 1968, these remarks captioned “Untouchables—Part X” and produced by the Herald of Freedom, which made similar allegations about other government employees:

“Erdos is another security risk. Derogatory reports concerning his conduct during these years did not hinder his moving up in the government service...The derogatory intelligence reports made by security officers and his superiors concerned his drinking to excess. On one occasion a report stated that he passed out completely. He was reported as having strong homosexual inclinations and as having friendship with an individual whom intelligence sources disclosed to be a Soviet intelligence agent assigned to make a penetration of the American Embassy in Cairo.”

None of this is corroborated in files available to me and therefore must be considered raw intelligence until such time as it is refined.

Al was a tall, dark-haired, heavy set person with heavy glasses (a classmate at Georgetown described them as coke bottle bottoms). He had a big appetite and was not self-conscious about his weight. To his superiors and others whom he wished to impress, he presented a cool, dignified manner. I valued these undramatic features and felt that we had chosen well.

Donald Joseph Leahy was born in Chicago, June 7, 1924. Little is known of his earlier years since his family had in effect disappeared. A Department file reports that his mother died and that his father was “no good.” The father was listed as a dependent in 1951. A sister, a Catholic sister (Frances Celin), appeared at his funeral in Connecticut and had little to say except that she wanted to have assurance that Erdos would pay a penalty for his crime. There is a reference to a daughter of Leahy, Cathy, but that cannot be confirmed.

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Leahy's first assignment was in the U.S. Embassy in Moscow (1956-58). He was said to have done "a good job" at that post. He served in La Paz but at a time different from Erdos' service there. In the Johannesburg Consulate General, he was described in 1961 as "completely incompetent." He then moved to Ecuador, where he is believed to have married Rosita, an Ecuadorian. He served also in Santo Domingo, where he handled embassy housing and where a colleague said he was "not gung ho," in fact marginal. Leahy was rated as "slow" by his first supervisor in Santa Isabel, who also described him as a recovered alcoholic. The Department Inspectors, in the spring of 1971, considered him "on top of his responsibilities." An administrative officer, shortly thereafter, regarded Leahy as "an ineffective worker, indifferent to many requirements of his work...although conscientious about some aspects, specifically the security of his working area...[he was] incredibly sloppy in handling cash. Leahy was not dishonest...Mrs. Leahy was a very competent Foreign Service wife and a decided asset to her husband." Don was in effect grafted on to Rosita's family. Her sister and brother-in-law were called to Douala from Morocco when the tragedy occurred. Her daughter by an earlier marriage arranged the funeral in Connecticut.

Both Leahys were active socially and were well liked in the Hispanic set, but they usually did not frequent the higher echelons in which the Erdoses moved.

Leahy was frustrated with his low rating, FSS-5 after 15 years in Service, and asked the administrative officer in Yaounde how he might get promoted or be converted to FAS or FSO status.

Leahy was a self-effacing, slight person who impressed a visitor to Santa Isabel as a milquetoast.

Erdos, in his long-hand letter to August 11, 1971, to me in Washington, had this to say about Leahy, whom he murdered 19 days later:

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"He is a nice guy but is way over his head. It is not fair to him to put him on his own. He should be in a job where various supervisors can tell him what to do. Unfortunately he does not have the intelligence to be a de facto administrative officer. Paper work scares him as do rules and regulations...In his capacity as Class B cashier, for example, it takes him about four or five working days to submit to RB and FO the monthly report on cash reconciliation...He is similar slow on other things as well. Our unpaid obligations to local suppliers are piling up and we are getting a bad reputation for not paying our bills. He never has had responsibility before and is at a loss. He cannot cope...should this situation continue, I can see myself spending more and more time on admin to the detriment of substantive work...It is not that Don is unwilling. He just cannot cut the mustard. I have to handle him with kid gloves because lately he blows up at any implied criticism of his work. Thus it does no good to talk to him because he simply does not have the capability to improve his performance...Can you check with Medical to see if there is anything in past record that would tend to imply instability under stress? Can you ask Bradford in AF/EX if he can get Don Leahy replaced? If not, at least Don's orders should be changed to read an 18 month tour without R&R instead of the two year tour? Don, by the way, would prefer an 18 month tour without R&R...I hope that your home leave was all you anticipated and that the girls [my family] took good care of you. We miss you and hope to see you soon."

I did take up Al's request with Bradford and revised my itinerary to make Santa Isabel my first stop, thus making it possible to engage in more hand-holding on the Leahy problem and other matters.

### The Buildup to the Event and the Event Itself

After settling in in Santa Isabel in April, Al Erdos began sending fairly routine cables, airmails, and letters which gave me, and I believe the Department, confidence that we had another pro in this difficult assignment. Erdos did not have the sparkle (in his messages and in person) which his predecessor Al Williams manifested, but I was

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comfortable in the belief that we had a steady, if not colorless, officer on board. I left on home leave in June with no special qualms.

Erdos reported on April 12 that the Ghanaian Chargé's infant son died following convulsions and appalling malpractice involving the local hospital and the Spanish doctor used by many diplomatic personnel. Erdos had an infant son, Christopher, and was presumably shaken by this event.

The Vice President and the Interior Minister called Al in on August 13 and 17 and pressed him on the thorny Stephen and Co. affair (a cacao swindle), expecting him and Washington intervene in recovering the missing \$2 million. He handled this pressure with no apparent ill effects.

On August 6, Erdos wrote a Foreign Service friend, John Troy, and his wife, then stationed in Madrid, to visit the Erdoses; Al expressed no concern over the local situation.

Beginning August 20 Erdos began a series of SITREPS (situation reports) on "New Arrests," usually with Immediate (urgent) precedence. Among those arrested were the embassy chauffeur (a Fang), an embassy contract employee (a Nigerian), and a contract employee with the meals/smallpox campaign (a Fernandino). SITREP 2 of August 20 contained an unconfirmed report of 160 arrests "with every prominent islander arrested." SITREP 3, also of August 20, reported the return of the chauffeur but his immediate banishment to Rio Muni, the mainland portion of Equatorial Guinea. Erdos was indecisive if not confused as he debated the pros and cons on representations to the government. Washington tried to help by giving him guidance on August 21. In SITREP 7 (August 22) he reported that travel of diplomats was restricted to Santa Isabel city limits until further notice. Erdos decided to delay approaching the Foreign Office concerning his employees.

SITREP 9 (August 24) reported the death of the Equatorial Guinean Ambassador to Cameroon, Watson; this report was later refuted but Watson did in fact die later under grisly torture, during which he possibly tried to implicate the U.S., if not Erdos, in order



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to gain mercy. Erdos reported that an armed guard had been stationed in front of the embassy after an absence of months. Our Charg# in Yaounde, reacting to Erdos' alarms, spoke with representatives of the German, French, and Israeli embassies; they had not heard of these arrests. After checking, the French labeled the disturbances part of a "Bubi conspiracy." The Cameroonian Foreign Office had heard similar reports but was not seemingly alarmed.

A messenger from the Ghanaian embassy had a personal letter for Erdos but was not permitted to deliver it and was whisked off to the police station; he was later released. Erdos now thought "time was ripe to clear the air" and "am trying to obtain an appointment ASAP with the Secretary General MFA (Foreign Office). Plan low key oral approach." In reply to a query from Washington as to who was in charge of the government, Erdos said on August 25, "Difficult to determine since such information rarely given outsiders." Leahy, who was slow in many ways, must have been dog-tired as he coded and decoded these numerous confidential exchanges with Washington and other posts.

Washington gave Erdos further guidance for his approach to the government. On August 28 Erdos asked for "specific points" for a written demarche and gave a rather rambling account of the situation as he saw it. I was watching the traffic intermittently in Washington and still had confidence that Erdos, with the support of Walker in Yaounde and Shurtleff in Douala, would be able to keep the lid on if in fact the pot was boiling. I was simultaneously preoccupied with moving my invalid wife, who had undergone major surgery, from one location to another in preparation for my accelerated departure for Santa Isabel. Erdos was informed of my expected arrival September 4. In subsequent messages he again asked for me and expressed pleasure that I was on the way.

I thought at that juncture that Erdos was fatigued and needed a break. Another Washington observer saw his reports as an indication of rising tension within Erdos and an exaggeration of the actual situation. On Thursday before the event, which occurred the following Monday, the Spanish Charg# found Erdos somewhat agitated. The Charg#,

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Jose Cienfuegos, found it difficult to convince Erdos that there was no cause for special concern.

By August 28 Erdos, according to his wife, displayed physical signs of distress. His hands were sweaty, he was nervous and physically shaking, he retched and for the first time took tranquilizers. On August 29 his instability was reflected in his overreaction to the late arrival at the airport of the last American resident and to his inability to locate the Leahys (they were having their siesta). On that evening, by his and his wife's account, Erdos sought the meaning of the events of the prior two weeks. Fearful of arrest, he discussed confidential matters with his wife for the first time and urged her to memorize the combination to the embassy safe. He eventually concluded that while the government's actions had heretofore been directed primarily toward Spain, the U.S. was the new target. At this point Jean Erdos thought his thinking was irrational.

August 30 began fairly routinely as Al Erdos and Don Leahy said goodbye to their spouses around 8 o'clock and met at the chancery on Astura Street, a pleasant two-story structure of Spanish colonial architecture. The French Chargé, Jean Robert, dropped by about noon to check on Erdos, who had appeared agitated and abrupt for no good reason on the previous day, and was pleased to find him in a better frame of mind. Erdos explained that he thought, mistakenly, that Don Leahy and his wife had been kidnapped and that he made a fool of himself charging around town with the American flag on his car. When Robert learned later in the day of the murder, he deduced that it was a case of *crise de folie* (an act of madness).

The morning of August 30 had several other interruptions. Erdos returned to his house and told his wife of his suspicions that the embassy and their home had been bugged by a technician from the embassy in Yaounde (Godhardt). Erdos had two other visitors: Sylvester, a Chevron Oil employee, and a girl seeking a visa. Leahy, in the meantime, was typing the note to the Foreign Office announcing my arrival later in the week. As was customary, Consul Shurtleff in Douala called Leahy around noon to see if he needed

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anything. In answer to a question of how things were going, Leahy said, "Fine, as far as I'm concerned." They agreed to speak the next day at 9:30. At about 2:30 p.m., the normal quitting time, Leahy called his wife and said he would be 10 minutes or so late for lunch.

Erdos' intended cable message, which his attorney described as "complex delusional thinking," was captioned NODIS Flash, virtually the most sensitive and fastest communication. The message was not admitted as evidence at the jury trial. It was not transmitted and was found in the burn bag by three of us who forwarded evidence to Washington. The message reinterpreted previous events from the new angle, i.e., that the U.S. was a victim of a plot. As Erdos related, the plotters included the local government, as well as certain diplomatic colleagues. He saw himself being set up for a false accusation of collaboration with antigovernment forces; the accusation would explain his death. Upon deciding that the plot was Communist-inspired, he concluded that it could not be carried out without help from within his embassy. He said that the arrested employees were involved in the plot, as was Don Leahy. He wrote on the same draft of the cable, "Here goes my diplomatic career." Leahy's reluctance to send the message confirmed in Erdos' mind the complicity of Leahy in the conspiracy. Still according to Erdos, Leahy asked for a ride home and aroused further suspicions that Leahy was setting him up for a sniper or other assault. Leahy was then apparently induced to go into the vault, where Erdos' interrogations fueled the thought that "practically every innocent action of Don's in the past took on sinister connotations." Erdos was convinced that Leahy was a Communist agent.

Brandishing a pair of scissors, Erdos forced Leahy into a chair and tied him with an electrical cord. He had by then concluded that the plot was to assassinate him, making it look like a suicide. He imagined that the assassins were at that moment inside the embassy. Recalling that Leahy had asked him if he kept his wife informed, Erdos concluded that the plan was to kill her as well in order to keep the plot a secret.

(Erdos, supported by his wife, was the only person in a position to paint this picture, true or otherwise. The prosecution had contrary views which were brought out in the trial and

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made the case that Erdos and Leahy were engaged in homosexual activity just prior to the murder and that Erdos lied by attempting to cover up his actions with the insanity/international conspiracy pretense.)

Erdos goes on to say that with the assassins already in the embassy, he found the only means to communicate with the outside world, the radio, which was hidden in the vault. The normal radio channel was with Douala, but Erdos suspected the Consul, Len Shurtleff, as one of the plotters and therefore he chose to speak to the embassy in Accra, Ghana, at approximately 4 p.m. local time. He sent this radio message:

“I am not losing my mind. I am locked in the vault with my admin officer who is a communist agent and part of a massive plot against the United States. The US will be accused shortly in a large showing at the UN and I fear for my life. I feel assured that if I leave the vault I will be killed. We have been misdirected and all or any reports from here are not to be believed. All local employees are part of the plot and have placed electronic devices in the homes. I am extremely worried about my wife and son who are alone at home. Watson and Obiang are also suspect as part of massive plot against the US. I am in complete control of my faculties. And I realize how dramatic this sounds but this is the way things are. Please rush help immediately.”

The radio communicators in Accra maintained continuous contact with Erdos until 5:10 p.m. During the transmission, Erdos was asked to put Leahy on the radio to verify his presence in the vault. Erdos consented and a voice was heard to say, “Help.” Erdos then said, “That's what I thought he would say.” (This “help” was later cast in doubt during the trial; the alternative interpretation was that Erdos faked the voice.) During this 4-5:10 p.m. period, Erdos continued to report his version of the plot against him; he feared for the safety of himself, his wife, and child. Near the end of the radio contact, Erdos was told indirectly by Charg# Walker in Yaounde to go to the airport and meet Shurtleff, who was being sent from Douala to help him. Erdos then expressed doubt that he was in fact in touch with Accra and had “visions of a little man in an attic somewhere in Santa Isabel

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with earphones listening to him.” Thinking he was talking with the enemy, he turned off the radio.

After Erdos broke radio contact, he said that Leahy complained about the tightness of the bonds and Erdos decided to retie him. During this process, Leahy jumped out of the chair and Erdos struggled with him to prevent his escape. As Erdos recounted:

“Don was about half my size, a little fellow, but I thought at that time he had the strength of Hercules, he felt so strong and I felt weak, and I said, ‘I’ve got to stop him...I picked up the scissors and as if a battle was going on inside me,—Go ahead and stab him; no, don’t stab him....So, I stabbed him, rather gingerly at first...and I had the thought, Gee, the human skin is as tough as leather, really, if you want to do a good job you really have to use a lot of force, it takes a lot of force to pierce the human skin. We struggled some more. I stabbed him again and again. He broke loose from me from the vault, went into his room, and outside his door into the main reception area of the embassy, and I remember sort of a slow motion...just sort of lurching from the desk to a cabinet, to a wall, just supporting himself as he was trying to escape. I followed him, and I think I struck him again at the end, and that is, as he was going in this final lunge toward the door, I thought, dear God, please don’t let him make it because I just haven’t the strength to do it again, and about that point he did touch the front door and sort of—and then slid down and collapsed at the front of the door, and then I got the thought, well, was this all prearranged? Was this the way it was supposed to be? Was Don supposed to make himself suspicious in my eyes? Was I supposed to be led to use the radio and to think that I got through for help while in reality there wasn’t any help coming? Is that what it was supposed to be? And I bent down and I asked Don. ‘Don, Don, is this the way it was supposed to be?’ And Don’s last words were, ‘No, not like this.’ Which to me at that time was further proof. I looked around, and the whole embassy was just a gory mess, blood just over the place, indescribable, and I thought what is this, not all of that can come from the human body. I thought that Don must have been having a type of gallbladder under his shirt filled with something that looked like blood, used in the movies, you jab and everything comes gushing out. I bent down and

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Don's shirt was sort of gaping open, and I touched him, and there was no bladder full of blood there at all. It was just Don.”

Shurtleff flew by private plane from Douala and found his way from the airport to the chancery around 6:30 in the evening. Erdos refused to admit him and asked for me. At Erdos' request, Shurtleff located Jean Erdos and son and brought them to the chancery, where they spent about an hour.

Sometime after the radio break and before Shurtleff's arrival, Erdos called the Spanish Charg#, Jose Cienfuegos, and asked him to come by. He wanted to know if his wife and son had gone to the Cameroon embassy as he asked them to do. Cienfuegos reported his contact with Erdos to Nigerian Ambassador Bassey, who was concerned about the commotion outside the U.S. chancery, where quite a few people, including Ministers, had converged, some in an agitated state. Bassey, in his typical take-charge manner (he was a retired and respected brigadier in the early Nigerian Army), went to the chancery and knew that he had to generate some confidence with Erdos in order to induce him to depart for the Nigerian embassy, where his diplomatic immunity could be assured. Erdos eventually departed, leaving Shurtleff and others on the sidewalk. As he passed Shurtleff, he said, “I lost my cool. I killed Don.” Erdos added another few words about the terrible conditions in Santa Isabel that drove him to this act. Jean Erdos told Shurtleff, as he left the building, “Al says he killed Don.” Erdos was overheard telling his wife, “You must believe me. They will think I am crazy.”

Shurtleff thereupon entered the chancery, found Leahy indeed savagely murdered and reported by radio to the embassy in Yaounde what he had found. He asked for help. In the meantime, Leahy's wife, Rosita, had followed Shurtleff and quite naturally was overwhelmed by her finding. Official Equatorial Guineans had also entered the diplomatic property, refused to acknowledge Shurtleff as accredited to the government and threatened to detain him. Shurtleff was permitted to proceed to the Erdos residence to wait it out. He secured the vault, where confidential papers and the radio were located,

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and locked the chancery door. The body remained in Leahy's office until the next day, when it was taken to the local hospital morgue. Lannon Walker, the Charg# from Yaounde, had arrived and haggled successfully with Guinean officials who wanted to do more than remove Leahy's remains. Walker likewise was not acknowledged as a diplomat accredited to the Macias government.

### The Aftermath

Nigerian Ambassador Bassey related to me later that the three days and nights at his residence began badly with Erdos' hiding a decorative knife. Jean Erdos told Bassey of it, whereupon he confronted Erdos with the fact, saying that the protection which he was according Erdos could not continue with such behavior. Erdos gave up the knife. He was probably aware of local demands for an eye for an eye. Diplomatic immunity was initially not clearly understood by Guineans, who were more accustomed to killing an individual who had taken a life.

Bassey said that he realized that he had a major mental problem with possible violence on his hands. He therefore sat up with Erdos for three days. This was Erdos' wish as well because he objected to being left alone. Erdos ran to listen to phone calls and was startled by every street noise. Erdos took no sedative but drank heavily. He smoked like a chimney. (I later sent Bassey six bottles of Scotch and four cartons of cigarettes from Erdos' larder. I also presented to Ambassador Bassey and his wife two silver pieces properly inscribed.) Bassey felt obliged to drink along with Erdos, he said, in order to retain Erdos' confidence. Bassey, who had a reputation for heavy drinking, complained about Erdos' excess in this respect.

I am getting ahead of my story. It took two days for me, along with my younger daughter, Becky, to arrive in Douala. This was the evening of Wednesday, the murder having been committed on Monday. I helped porters find my bags under an immense pile of luggage and, after delivering my daughter to my secretary, boarded a small charter plane in the

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dark for the 30 minute flight to Santa Isabel, where the airport was normally shut down every night for security reasons. Walker and the embassy/consular team somehow arranged for an exception so that our pilot saw lights on the runway as we landed. There was no delay for arrival formalities, which Walker said was a good sign that things had loosened up a bit in the interim two days. I asked the welcoming authorities for permission to speak with the government that night but was told that a meeting was scheduled for the next morning.

I went directly to the Leahy house to try to console the widow, who was justifiably frantic and determined to see that retribution, if not revenge, was exacted. After doing my best in this respect, I had a long session with Walker, Shurtleff, and John Graves (the USIS chief in Yaounde who had been pressed into service in this emergency), who had been working around the clock to enlist friendly support for the three objectives which I would pursue the following morning: the departure of Erdos, the release of the body, and the opening of the chancery, where we were forbidden to enter. I did not receive specific instructions on these points until approximately a week later (bad communications with Washington) but I knew instinctively what we had to do. I wanted to believe Walker, whose intelligence sources, which he created overnight, were optimistic as to the outcome. My sleep was not sound that night, but Erdos' Fundador brandy helped. We did not know at the time that on that same day (Wednesday) the government had issued a press statement saying that Erdos would be released in my custody.

Walker and I, with fingers tightly crossed, met at 11 o'clock the next day with the Interior Minister and other ranking officials. I used my best diplomacy to express regrets over the incident which we knew caused some anxiety in Santa Isabel and quietly but firmly voiced the three objectives which we sought to achieve in the present session. There was a give and take of no more than an hour—face-saving on the Guinean side—and then the denouement in our favor on all three points. This was not a typical negotiation but rather



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confirmation that Macias, who had just returned from Rio Muni, found it in his interest to yield to Uncle Sam in this diplomatic exercise.

Behind this favorable decision lay factors which are still partially unknown because of the byzantine nature of the Macias regime and the uncertainty as to the extent to which the egomaniacal Macias could be influenced. We do, however, know some of the friendly forces which were brought to bear on the situation, some of which probably helped Macias accede to us. Walker and his team, all unaccredited and first-time visitors to Equatorial Guinea, dropped into a bizarre and terrifying crisis and in two short days orchestrated such friendly elements as were available. The Department sent messages from Secretary of State Rogers through various channels to Macias voicing our three objectives. At least one of these messages reached Macias, providing a face-saver to issue appropriate instructions. The Cameroonian and Nigerian Ambassadors and the Ghanaian Chargé, without our asking, are believed to have gone to bat for us in channels which we did not possess. The OAU representative, Souman Nabi, a native of Guinea (a country not on good terms with the U.S.), was directed by the OAU Secretary General, at Washington's urging, to be helpful. We regarded him previously as one of the Rasputins in the Macias Palace. When I learned of his support for our efforts to overcome local resistance to handling the case normally and diplomatically, I called on him to express appreciation. As I arrived in Santa Isabel, the groundwork had been laid for what, surprisingly to me but not to Walker, turned out to be a major manifestation of logic and goodwill in a country where such factors were in such short supply. It was particularly heart-warming that Uncle Sam could count on his friends when the chips were down, even in a distasteful, minor (in world but not personal terms) event such as this.

To return to the Foreign Office activity, Walker and I were walking on air as we made our way to the Nigerian Ambassador's residence to pick up the Erdoses. Erdos, perhaps conditioned by fatigue and heavy drinking, seemed to wear a mask. He assented to my insistence on an immediate departure. If he expressed gratitude, I do not recall it. The Erdos family, accompanied by Bassey and me, proceeded to the airport, where the word

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had not reached the trigger-happy guards, who said we were not cleared to depart on the small charter plane that was standing by. Once again Bassey came to the rescue, told us to sit tight, and headed for town to get further authority for the departure. After what seemed like hours, he returned with the confirmed exit permission. We bid goodbyes and proceeded with the next priority, Leahy's body, which had been only partially refrigerated in the primitive morgue facilities. Our Embassy Yaounde nurse, Marianne Dembkowski, was a god-send as she did her best to prepare the remains, which were sealed in a lead coffin for removal to Douala.

Rosita, the widow, remained under extreme stress, and we did our best to accommodate her. Therefore we took seriously her request for a Catholic service for Don. John Graves and others, accordingly, reserved the cathedral in central Santa Isabel and found a priest, who performed a proper funeral mass for Rosita and quite a few Leahy friends. Graves and I accompanied the flag-draped coffin down the aisle and presented the flag to Rosita at the end of the service. The closed coffin, of course, did not contain the body, but we did not reveal this detail to others present. On the following day, I was called to another ministerial meeting to discuss the cacao swindle matter—I was delighted that we had this evidence of business-as-usual- -and the Interior Minister said that he regretted not having received an invitation to the Leahy mass. I restrained myself from saying, "Next time."

There was no hitch in the departure of the body, which was accompanied by Rosita and Walker. She was met in Douala by her sister and brother-in-law, the Chris Adamses, who had come from Rabat to be with her. Cameroonians had their own ideas as to the movement of such an unembalmed, nonautopsied body through their country. Lannon Walker rose to the occasion and requested a U.S. military aircraft to return the Leahy remains family to the U.S. This heroic initiative succeeded, and a C-141 from Ascension Island appeared forthwith and carried the body, the Leahys and Walker to Andrews Air Force Base in Virginia. After an autopsy, the funeral and burial of Don Leahy took place

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in Connecticut, the home of Rosita's daughter. An Assistant Secretary of State, David Newsom, represented the U.S. government. The Secretary of State sent condolences.

In the meantime, the Erdos family was met in Douala by Dr. W. Foster Montgomery, the regional medical officer from Lagos, and Arthur Plambeck, the regional security officer also from Lagos. During the overnight stay in the Consul's residence in Douala, Dr. Montgomery showed special courage in sleeping in the same room with Erdos, who made no attempt to flee then or on the onward journey. Security Officer Plambeck was not armed but Dr. Montgomery carried a straitjacket. Erdos seemed eager to be leaving Africa. Relations between the Erdos party and its escorts were described as amicable.

There were brief stop-overs in Bamako, Paris, and Boston. When the party learned of the unscheduled Boston stop, this change was discussed with Erdos, who agreed that he would not leave the plane. When a brusque U.S. marshall in Boston announced over the intercom that Erdos was to come to the front of the plane, Plambeck went forward instead and was told in effect, "Erdos, you are not allowed to get off the plane." Plambeck did not correct the marshall as to his identity and said that there were no plans to debark. More of this under "The Trial." This last stop caused some consternation since we were under strict instructions to see that Erdos arrived at Dulles Airport without making any intermediate stops in the U.S. "in order to avoid legal problems." We were told to revise his itinerary if necessary to bring this about.

During the flight Erdos was seated in first class with his wife and child on one side of the plane. Messrs. Montgomery and Plambeck sat opposite them. Erdos was not under arrest and moved freely about the plane and the airports where the plane made stop-overs (except Boston). Erdos ate his meals with a hearty appetite and commended favorably on the wine to his wife. Upon arrival at Dulles, he was served with a summons and complaint charging him with premeditated murder and unlawful killing of a security officer of the Department of State. He made no statement as he was directed to George Washington University hospital for treatment.

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On the afternoon of September 2, i.e., following the successful meeting with the Equatorial Guinean hierarchy, John Graves and I entered the chancery without difficulty. The large number of guards had been reduced to one, who politely stood aside on the sidewalk as we entered. We were greatly relieved to see that the chancery had not been disturbed during the several days when we were barred from it. Graves and I went about the business of picking up the pieces—literally—as we, under stick instruction, prepared packages for Washington and the judicial process already underway: every piece of evidence, including ash tray and waste basket contents, bloody clothing, the murder weapon, electric cords used in the killing and the voluminous confidential files. Graves took lots of pictures of the bloodied mess. A special problem was a heavy case of tear gas grenades which Al Williams had ordered and which could easily be misinterpreted as clandestine arms by the suspicious government. I do not recall how we disguised that shipment through Guinean customs.

During that initial and subsequent cleanup of the chancery, the four of us—Walker, Shurtleff, Graves, and I—had no reason to doubt that Erdos had committed this dastardly act. We invited the investigators' attention to a handwritten note, apparently in Erdos's hand, telling Leahy to send a NODIS Flash message and to do so “correctly.” We found no final version of the message and surmised that it was probably the one which he transmitted partially and orally in his radio contact with Accra. Our report raised the question: did Leahy refuse to code such a message and therefore triggered jittery, if not insane, Erdos into violent action? None of us at that time suspected any homosexual activity between the two parties.

Some heat was generated as the Department of State and Justice sought to send security investigators to Santa Isabel to see for themselves the scene of the crime and to interview Equatorial Guinean, diplomatic and other sources. I resisted this on the grounds that we were lucky to have survived this major challenge to American-Equatorial Guinean relations and that any such introduction of investigators would be counterproductive. In the

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meantime, our diplomatic colleagues on the island and their governments had effectively clammed up, probably frightened by press accounts quoting them and thus breaching confidences in conversations which we conducted with them after the event. After the event we, in effect, secreted a Department security officer to Santa Isabel several times. He did not speak with local officials but did interview Uruguayan friends of the Leahys', two Ghanaian diplomats, some U.N. personnel, and Erdos' servants. This officer said that as he was leaving he had to deal with a drunken soldier seeking a bribe. "I kidded him around but it was fraught with danger and I am sure that the soldier would feel no compunction about shooting someone," he said. Pressure from Washington continued and convinced me that American justice required that all efforts should be made to solicit local cooperation for a separate judicial investigation. I therefore requested such cooperation and was finally refused when I met with Macias, who calmly and coolly told me that if investigators arrived in Santa Isabel, he would have to detain them. Detention in Equatorial Guinea is something which no one wishes to risk.

### The Trial—the U.s. of A. V. Alfred Erdos

On November 11, 1971, a federal grand jury in Alexandria, Virginia indicted Erdos for murder. He was arraigned on December 10 for the murder and pleaded not guilty. He was released on personal bond of \$100,000 to the custody of Dr. David H. Framm of George Washington University hospital. The trial was set for February 28, 1972. Erdos was free to move outside the hospital and, on at least one occasion, visited the Department, where he frightened secretaries by brandishing a scissors, apparently in jest. His humor was not appreciated.

In pretrial proceedings, Erdos' attorney challenged the jurisdiction and venue (U.S. District Court for the Eastern District of Virginia) and moved to dismiss the indictment. Jurisdiction was contested on grounds that no federal statute grants jurisdiction to U.S. courts to try an accused for an unlawful homicide committed within an embassy of the U.S. in a foreign country or premises leased by the U.S. from a foreign national. Venue

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was contested on the ground that Erdos was “first brought” to Boston and, therefore, if any court had jurisdiction, the District of Massachusetts was the only proper venue. On January 20, 1972, the Alexandria court (i.e., Judge Oren Lewis) convened a hearing on these challenges. A week later he denied them and reaffirmed the trial date for February 28.

Erdos's attorney also moved to obtain the U.S. government's assistance in sending defense representatives to Equatorial Guinea to gather further evidence and to determine the availability of testimony of more than 30 foreign nationals. He argued that the witnesses were essential to establish Erdos's insanity. If witnesses could not be produced, the defense would seek to have the charges dismissed. Department representatives at the hearings stated that further efforts to gain permission for such investigation would be futile. Judge Lewis denied this request but did not rule out reconsideration if the Equatorial Guinean government should permit entry of the defense counsel and if the defense could reasonably satisfy the court that evidence was located there. The judge also ruled that the list of witnesses in Equatorial Guinea was too broad and that the defense would have to specify material testimony anticipated in such on-site investigation.

Accordingly, the defense attorney submitted a request to the UN representative of Equatorial Guinea (there was no ambassador stationed in Washington) requesting the desired interview; no response was received. The attorney also sent six letters to diplomatic colleagues of Erdos in Equatorial Guinea requesting their assistance in obtaining testimony. The Department informed the attorney on February 16 that it was unlikely that decisions on the requests could be obtained in sufficient time prior to the February 28 trial date. Erdos's attorney therefore asked the court to postpone the trial to May 1. The defense attorney could not satisfy the judge as to what the six diplomatic witnesses would testify or when they would be available. The judge denied the postponement request. Subsequently the Department informed Erdos's attorneys that the government of Ghana would make available the testimony of the Ghanaian Charg# by

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letters rogatory. The defense once again asked the court for postponement on the basis of the potential importance of such testimony. The request was denied.

The trial of the U.S. of A. v. Alfred Erdos finally got underway on February 28, 1972 in the U.S. District Court for the Eastern District of Virginia, Judge Oren Lewis presiding. The prosecution was headed by Brian Gettings, U.S. Attorney. On the defense side, the prestigious law firm of Williams, Connolly, and Califano provided William E. McDaniels, the lead defender, and Aubrey Daniel III, who had gained fame on the prosecution side of the William Calley (My Lai) case. In a pretrial conference on the first day of the trial, the defense produced further confidential messages under seal (i.e. not to be made public) from Department files, as well as expected testimony from at least some of the targeted diplomatic witnesses. Judge Lewis ruled that letters rogatory or deposition were not admissible and again denied the postponement request.

The prosecution presented three witnesses. Dr. William Enos, a pathologist, described the findings of the autopsy performed on Leahy, including a description of the multiple stab wounds, the cause of death and the presence of intact spermatozoa in the pharynx and esophagus. The defense vigorously protested Enos's labeling this "a homosexual murder" on the grounds that this amounted to a legal opinion of the defendant's guilt and his motive for killing Leahy. The judge ruled that Enos's opinion should be accepted as testimony. This ruling may have been the deciding factor in the case because of the abhorrence of homosexuality in the moral climate of 1971 and in the minds of the jury.

Consul Shurtleff and Counselor Walker gave routine testimony, reciting elements described above.

At the conclusion of the prosecution's case, the defense successfully moved to have the charge reduced from the premeditated murder to second-degree murder, based upon insufficient evidence of premeditation. Thus, the death sentence was ruled out. Under

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voluntary manslaughter, the accused is charged with the unlawful killing of a human being without malice during a sudden quarrel or heat of passion.

The defense's case consisted primarily of the testimony of the Erdoses (recounted above under "The Buildup to the Event and the Event Itself"). Erdos denied having had any homosexual contact with Leahy. Three communicators from Accra gave their account of the radio exchange with Erdos on the day of the murder. Marianne Cook, the Department's desk officer for Equatorial Guinea, described the changing pattern of Erdos' reporting in the pre-event period. I described the process of selecting Erdos for the job and how his demeanor had changed since the event. Four nurses who monitored Erdos at the GWU hospital described his behavior as consistent with those patients who had been diagnosed as suffering from acute paranoid psychosis. The judge ruled that the nurses, even though experienced psychiatric nurses, could not express an opinion on mental illness. the judge added that only psychiatrists can testify as experts in this respect. Nor would the judge permit one of the nurses to testify in rebuttal on testimony by a doctor. "She is not a doctor. It would not be admissible for this reason...The nurse is a layman unless (she) is a qualified psychiatrist."

The defense called two psychiatrists. Dr. David H. Framm, who had been retained by the Department to treat Erdos, testified that Erdos was suffering from an acute paranoid psychosis at the time he killed Leahy, which deprived Erdos of the mental capacity to appreciate the criminality of his conduct and the capacity to conform his conduct to the requirements of law. (These were essential elements in the so-called M'Naghten Rule in tests of insanity.) Dr. Framm stated that the onset of Erdos' illness occurred on Sunday night, August 27, when Erdos, instead of interpreting reality as it existed, interpreted reality on the basis of a delusion that a plot existed. Thereafter, because of his illness, Erdos incorporated everyone and everything into the delusion, including Leahy, whom he believed he was killing in self-defense.



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Dr. Leon Yochelson, a defense-retained psychiatrist, also testified that Erdos was suffering from an acute paranoid psychosis at the time he took Leahy's life and that the onset of the psychosis was on Sunday as a result of Erdos' new realization of a plot. Yochelson said Erdos was suffering from a delusion that Leahy was a skilled communist plotter, and Erdos killed Leahy to protect his government, his wife, his son, and himself. Both doctors agreed that if a homosexual contact took place, it would have been consistent with his illness and would have occurred while he was suffering from the illness.

Dr. Framm spelled out acute paranoid psychosis as follows:

“Paranoia is a condition in which an individual becomes excessively suspicious, becomes extremely fearful, becomes very mistrustful of people in the environment around him. As paranoia becomes more severe it may then develop into delusions in which the individual is misperceiving stimuli around him, misperceiving them in his own special ways as directed by his illness. In the development of acute paranoid psychosis, an individual initially...can start from a position where a person is well, where they are not psychotic and there are usual ways of coping with the stresses around them. The stresses coming from within them are intact and there are ways of coping in psychiatric terms (by such) defensive mechanisms. For reasons which may be many and also may be obscure, these defensive mechanisms weaken.”

Dr. Yochelson developed this theme further:

“This mental order (acute paranoid psychosis) occurred in Erdos...and it did not appear out of the blue. In his instance the disorder occurred in what we might consider fertile territory. This man's personality, though on the surface calm, fairly solid, was beneath the surface rather rigid, rather on the whole isolated. He had tendencies to develop very, very few relationships, this having to do with an underlying kind of distrust of humans. This related in his own personal history to certain unique family characteristics, partly in a very brief way with the loss of his mother when he was only about five years old, followed by very

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difficult family circumstances in which the total emphasis was on economic survival with practically no emotional give and take in the family which we pretty well know is essential towards the ultimate development of trusting feelings in other human beings...Between the middle of August and the last weekend of August, there was an undercurrent of tension within him...On Saturday, August 28 there was a marked change in him in which he had even a moment of confusion. He would forget that he had just a little while before reported something. This...is totally consistent with the psychological reports by Dr. Stanmire (unavailable to me)...There are abrupt, isolated breaks in the quality of his functioning. He has a susceptibility to periods of disruptive confusion...On August 28 he showed personality traits that to my knowledge he had never seen before, namely whereas previously the man's adult life had been geared to convincing himself and the world that he's a normal, steady, stable character; he became that day a rather clinging person in the privacy of his home, he went through important physical sensations, profuse sweating; he went through retching at one point. For the first time he took medicine to quiet him down. He was manifestly shaking and nervous which is, I think, strikingly important in this man when we understand that he spent most of his energies of his adult life making himself believe that he was not nervous...He had suspicions on August 28. He became acutely psychotic on August 29. He experienced what I have heard from many patients before, a kind of magnificent clarification, everything seems to be clear; prior to that moment he was wondering why he was being singled out for very mysterious communications...He suddenly has a great flash of what is to him understanding, what is to us delusion, namely that the real reason for all that he has been through is that there is a massive plot against him, against his life, his child's life, and the whole government. His behavior on August 29 was disorganized...Erdos' panic over the departure of an American girl and his charging around Santa Isabel looking for the Leahys were believed to be part of Erdos' suspicion of a high conspiracy or plot."

In rebuttal, the prosecution recalled Dr. Enos to the stand. He stated that, given the condition of Leahy's throat in his last stage, it would have been impossible for him

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to respond to Erdos' question, "Is this the way it was supposed to be?" One of the communicators suspected that the "help" voiced during Erdos' radio message was not from another person (i.e. Leahy) in the vault. Regional security officer Plambeck described Erdos, en route home, as depressed but well enough oriented to carry on conversations and to fill out debarkation forms. Rosita Leahy contradicted Erdos' version of two telephone conversations on August 30.

The prosecution's final witnesses were two court-appointed psychiatrists, Dr. George D. Weickhardt and Dr. Emory Hodges. Both testified that Erdos was not suffering from a mental illness when he killed Leahy and that he had feigned a mental illness. Dr. Weickhardt conceded that Erdos was in a "nervous state," that his judgment was badly impaired and that he could not exclude the possibility that Erdos suffered a catathymic crisis which would have prevented him from controlling his conduct. (A catathymic crisis is usually defined as insanity that may occur in relation to homosexuality.) Dr. Weickhardt testified:

"[Erdos] was not suffering from any psychosis...He was able to make rational decisions immediately following the death of Mr. Leahy. He directed his wife to go to the Cameroon embassy. He invited the Spanish Charg# to come to the chancery and had a discussion with him. He admitted his wife and son to the building and they then proceeded to the Nigerian embassy. A series of (such) rational decisions is inconsistent with acute paranoid psychosis...I wouldn't have thought (the messages sent prior to the last one sent on August 30) would alert anyone to the existence of mental illness...In the final message, Erdos repeatedly emphasizes that he doesn't want people to think that he is mentally ill. And in my opinion someone that is in acute psychosis is not concerned about whether people think that he is mentally ill...I think that there is good reason to believe that this message was sent in order to cover up something else that had happened...It certainly had the earmarks of a homosexual situation...I think that (Erdos) certainly was in a nervous

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state but he had the ability to appreciate what he was doing...He had the mental capacity at the time of the killing to know that it was unlawful to kill another human being.”

Earlier (November 11, 1971) Dr. Weickhardt advised Judge Lewis that he saw the following eight principal stresses in Erdos:

- (1)Representing the United States as Charg# d'Affaires at an embassy in a small, recently created African republic emerging from colonialism.
- (2)Involvement in a local political crisis in which waves of arrests were made and a plot to overthrow the government by an official of that government was uncovered.
- (3)Absence of the American Ambassador on vacation in the United States.
- (4)Unexplained arrest of all native employees of the American Embassy, unwanted armed guards at the embassy and restrictions on travel away from the city.
- (5)Unsuccessful and frustrating attempts to meet with or to get explanations from local officials.
- (6)Concern about the health and safety of his wife and only child.
- (7)Concern over 'instability' of his only subordinate.
- (8)Homosexual pressures.

Under cross-examination, Dr. Weickhardt explained a catathymic crisis in short as a homosexual crisis. He specified: “This is an abnormal mental state that sometimes develops during the course of a homosexual act or shortly thereafter...Rage, an impulsive behavior (are symptoms).” The defense attorney asked, “It is your opinion...that if indeed there was a catathymic crisis then Mr. Erdos would not have control over his actions and behavior?” Dr. Weickhardt replied, “But I could not elicit (information) from Mr.

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Erdos which would permit me to arrive at that conclusion.” In further elaboration on “catathymic crisis,” Dr. Weickhardt had this to say, “An abnormal mental state which may result from the sudden realization that one is a homosexual or from some deep disappointment in a homosexual relationship, characterized by rage and impulsive behavior...In such a state judgment may be impaired...I could not exclude that possibility (that he suffered a catathymic crisis).” As to acute paranoid psychosis, Dr. Weickhardt said, “Acute psychosis means to me something that starts suddenly and lasts over a period of time up to six months. If it lasts longer...then you'd say, well, that then it's becoming chronic...I would expect acute psychosis to last at least several days in a very disturbed state and then perhaps start to calm down gradually with persistence of these delusions and hallucinations for a long period of time.”

Another court-appointed psychiatrist, Dr. Emory Hodges, quoted from the same Stanmire report: “The basic personality structure, although potentially intact, evidences a significant susceptibility for the breakthrough of threatening, forbidden impulses and mistakes and turbulent emotional upheavals if exposed to the type of life which Mr. Erdos described. The potential for possible explosive outbursts under stress seems most prominent. However, there are also indications of a propensity for paranoid episodes.”

Dr. Hodges said that these findings by Stanmire were consistent with his diagnosis. Hodges went on to say that he found evidence of stress in Erdos based on Erdos' account of his feelings before the event, “which again is subject to considerations as to whether he was sincere in his statement.” It was hard to believe, Hodges said, that a man would allow someone else to tie him up without more signs of struggle or opposition. “As I hear it, one man is quite passively letting someone else tie him up. I find this very difficult to believe and so I questioned his veracity.” Erdos did in fact stumble as he tried to explain, under aggressive questioning by the prosecutor, how he induced Leahy to sit in the vault chair, tied him up, operated the radio, and wielded the scissors, all in a reported insane frame of mind. Dr. Hodges also challenged Erdos' description of retching. Referring to Erdos' last radio contact with Accra, Hodges said, “In my opinion, it is difficult to believe that a

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man who is absolutely convinced that someone that he says he's holding captive because he's threatened his life, etc. would find it necessary to tell whoever is on the other end of the radio that he's not kidding. He would be so sure of it in his thoughts that he would not doubt that other people might question his statements." Asked whether a true paranoid ever doubts his beliefs, Hodges said, "Not during the time he's paranoid." As to Erdos' assertion to his wife inside the chancery that they will think him crazy and that she must stick with him, Hodges was also dismissive: "I find this comment inconsistent with a man who believes that he has killed a person who has been threatening his life and those of people close to him." Hodges stated further that he did not find Erdos psychotic during his examinations of him and, "I do not find evidence that he has been psychotic in the past." He regarded Erdos as pretending and faking, "malingered insanity or psychosis." Asked if there was consistency between the suspected homosexual act and a paranoid psychosis, Hodges could not agree with such connection, adding, "It is difficult or impossible for me to believe that if Mr. Erdos was as fearful of Mr. Leahy as he stated, he would risk the potential injury that could be involved from putting his penis into Mr. Leahy's mouth." Earlier Dr. Enos, the pathologist, explained that the absence of sperm in the forward part of the mouth and the presence of very few sperm in the pharynx and trachea would negate the possibility of contamination after death. Dr. Enos further stated that the presence and position of the sperm and the type and distribution of the wounds indicated a homosexual act. He expressed this in terms of medical certainty as a result of dealing with homicides and death of this type—"this was a homosexual murder."

Dr. Hodges did not see a possibility of a catathymic crisis in this case. Defense attorney Daniel asked if Hodges was familiar with Freedman and Kaplan's comprehensive textbook on psychiatry. When he said he had read portions of it but not the whole text, the judge intervened saying that he would not be permitted to comment on it since he had not read all of this voluminous text, a widely respected source. When the defense attorney vigorously objected, the judge stated, "Wait a minute. I want to be as generous as I can...We're not taking lessons here in psychiatry and we're not studying psychiatric

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medical terms. Generally we don't even favor them. But we do allow psychiatrists to use them, but it's not the medical term. It's his observations and his professional understanding to reach a conclusion. So, it doesn't make any difference. Let's find out about this case...I'm not going to let you go in any length, spend a long time getting his knowledge of the term paranoid psychosis." After all testimony had been heard, out of the presence of the jury, Judge Lewis said to defense attorney McDaniels, "I'm not going to tell the jury it's a delusion, and it doesn't make any difference whether it's a delusion. That's where you and I have fundamentally disagreed all during this case...The Chandler case (dealing with legal insanity) says that these technical terms, whether you call them paranoid, whether you call them delusions, whether you call them psychosis really don't mean much. It's medical nomenclature. It's only a means of discussion of the subject matter between professionals."

Had the judge permitted questioning on the learned Freedman/Kaplan thesis, (Alfred M. Freedman & Harold I. Kaplan (editors), *Comprehensive Textbooks of Psychiatry* (Baltimore: Williams & Williams, 1967).) these findings might have led to a fuller appreciation of the psychiatry in the case. Some of us in the courtroom were shocked by the judge's dismissal of the same and his rationalization with regard to what psychiatric knowledge could be imparted to the jury: (More extensive excerpts of the Freedman/Kaplan appear as an appendix.)\*Freud conceived of the principal paranoid defense as projection, that is, the rejection from consciousness of some intolerable accusation against oneself...and the localization of it among other persons, known or unknown.\*Paranoiacs seem incapable of adapting their thinking to the conscious; they try rather to bend objective reality to accord with their delusional thinking...The paranoid system is practically isolated from much of the normal state of consciousness.\*Latent homosexuality can be demonstrated in persons who develop paranoid reactions.\*It is probable...the adults who develop paranoid reactions under stress have not been able to form or have not been given the necessary intimate close relationship with a loving mother or mother substitute. The onset of paranoid delusions of persecution typically occurs in a setting of

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environmental or interpersonal stress...The onset of a paranoid reaction may be sudden.\*A psychotic development may proceed behind a facade of apparent health until the patient is no longer able to control his impulses or conceal his illness. When this point is reached, the open manifestations of paranoid psychosis may indeed appear abruptly.\*The paranoid patient becomes...watchful and uneasy, uncertain of what is going on around him. The more his suspicions and misgivings increase, the more he examines—distrustfully—his environment. And the greater his suspicions and misgivings, the less he can depend on anyone but himself to investigate the situation...all the time, the plot is thickening, the mystery seems to grow and grow...Once paranoid suspicions have been aroused, they have to be dealt with. Even a mistaken conclusion seems more comforting than no conclusions.\*He (the paranoiac) may already feel that they are planning something against him...The final step...is to find answers for these questions: who they are and what they are up to. It is this step that leads to the formation of a pseudo community, a group of real and imagined persons bent on destroying the patient's reputation or his life...The pseudo community is the patient's own construction. It seems dangerous or even murderous because he has denied and projected into this fantasy his own hostility, which he can no longer manage in any other way.\*This crystallization of a pseudo community from the obscure hostility, fears, and suspicions preceding it confers upon the patient a certainty that for the first time he understands what is going on around him...One of the most common statements of such a patient when he has finally constructed his delusional pseudo community of plotters is: 'Now everything has become clear to me!'\*If a paranoid patient feels that he can trust no one, he may decide impulsively to flee from the pseudo community or to attack someone within it.\*Dissolution of a homosexual relationship may lead a partner who feels rejected...to act out grossly destructive behavior, occasionally even murder (Alfred M. Freedman & Harold I. Kaplan (editors), *Comprehensive Textbooks of Psychiatry* (Baltimore: Williams & Williams, 1967).

As I read these psychiatric assertions alongside Erdos' testimony, I wonder if Erdos might have read Freedman/Kaplan as he prepared to testify.



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In his closing argument, prosecutor Gettings restated his belief that there is no insanity in this case. "There is nothing that meets the legal requirements of insanity." He called for a verdict of second degree murder as opposed to voluntary manslaughter. "It's our theory that Erdos killed Leahy because they were involved in some homosexual activity together and thereafter he faked insanity to cover up his act of killing and to lead people to believe...that his act was not the act of a cold-blooded killer." Gettings to do this. Two psychiatrists presented by the defense—Yochelson and Framm—were denounced for their method of diagnosis and their findings. "Paranoia is not something that comes and goes. It is with you all the time. I'd had the psychosis that he would have you believe, they would have had to fly him here in chains to keep him down." Gettings attempted to demolish Erdos' description of the activity within the vault, contending that Leahy was dead before the afternoon radio transmissions. The fact that Erdos registered no remorse for his action was brought to the jury's attention. The prosecutor added that Mrs. Leahy, as opposed to Mrs. Erdos, was worried about her husband's not returning at his usual time for lunch and spent all afternoon walking around town trying to find him.

The closing statement by the defense was reported but not transcribed in the District Court records. Nor was it available to me from other sources. There follows a summary based largely on press accounts. Defense attorney Daniel seized on the fragment of conversation between Al weeks prior to the murder. He contended that they demonstrated the slow "deterioration" of Erdos' mind under pressure of events in Santa Isabel. Recalling the testimony of Jean Erdos about changes in her husband, Daniel asked, "Did she appear to be lying when she described how her husband shook, sweated, retched, and, two nights before the slaying, took a tranquilizer for the first time in his life?" Daniel raised again the defense's inability to have the judge admit as evidence the coded tape of a cable sent by Erdos to Washington the morning of the event and said that that message proved that Erdos had conceived of the Communist plot before the slaying occurred.

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In rebutting the closing defense arguments, attorney Gettings said that as to the burden of proof of insanity, "It is simply the lack of evidence from anybody but Erdos and his wife that it existed." If the situation was as bad as Erdos contended, why didn't he send his wife and son away, Gettings asked. "The only logical explanation of what happened here was that Leahy was dead sometime between 12:00 and 1:45 p.m. and at 1:45 his method of covering all this up and of faking insanity" began. "With respect to Mrs. Erdos, does it really accord with common sense that she would sit in the dark for at least a half hour with a mad man, with a two and half year old child running around?...Her entire account of that day is not only unreasonable, illogical, it is impossible." Gettings final appeal: "Don't fall for that man's bill of goods, that cock-and-bull story...Don't excuse him for what he did because he doesn't deserve it. Find him guilty...not on passion, not on speculation, but on the evidence in this case, which is shown beyond any reasonable doubt that this man is guilty of a most brutal murder. To do otherwise would be to acquit him on speculation because that's all the insanity defense has been."

Judge Lewis gave his charge to the jury, reminding them that they were the sole judges of the fact. "You're judges. You should look at the facts from all angles and try to find out the truth...The law in this case...is binding on you." The jury was further reminded that the charge had been lowered from first degree murder to manslaughter and that it is for the jury to determine whether the killing was murder with malice aforethought or whether it was voluntary manslaughter (unlawful killing of a human being without passion upon a sudden quarrel or heat of passion). The judge did not mention Dr. Enos' findings of a homosexual murder but he noted that "his evidence really hadn't been questioned to any extent...The law presumes Mr. Erdos to be innocent of this crime...The presumption of innocence alone is sufficient to acquit him unless you're satisfied beyond a reasonable doubt of his guilt...Proof beyond a reasonable doubt must, therefore, be proof of such a convincing character that you would be willing to rely and act upon it unhesitatingly in the most important of your own affairs...The defendant says that he is not guilty because he says he was insane...The jury is to determine...Mr. Erdos' sanity at the time of the alleged

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offense...Temporary insanity as well as an insanity of a longer duration is recognized by the law. If the evidence in this case leaves you with a reasonable doubt as to whether the defendant was sane at the time of the alleged defense you'll find him not guilty even though it may appear that he was sane at earlier or later times...Intent is an essential element of this crime. The intent may be proved by circumstantial evidence...Therefore, you may infer the defendant's intent from the surrounding circumstances. You may consider any statement made and done or omitted by the defendant and any and all other facts and circumstances in evidence which indicates his state of mind...Nobody has any right to kill a communist just because he's a communist agent...The question is whether he had a mental defect...The rules of evidence do not permit any witness to testify as to opinions or conclusions. An exception to this rule exists as to whom we call experts."

After the judge dismissed the jury for consideration of the verdict, defense attorney McDaniels asserted a motion to dismiss the indictment "for failure to conform with the Sixth Amendment and the lack of our ability to produce...witnesses." The motion was denied. The defense claimed that in the judge's instruction to the jury he downgraded the effect of the Equatorial Guinea situation. "At a minimum, the court had an obligation to state fairly the theories of both sides. Combined with the language directing the jury to disregard the political situation and diplomatic relations with Equatorial Guinea, the instruction effectively destroyed Erdos' defense of insanity." The judge was unconvinced. The defense also noted the judge's statement that the defense was offered "everything we wanted to say in front of them" whereas no mention was made of the missing witnesses. The judge was unmoved by this criticism. The defense claimed that killing a communist agent in some situations might be justified. Attorney McDaniels also made a major issue over the absence of a burn bag message (Erdos' apparent last writing), which was not introduced. The judge's reply: "I ruled. If I made a mistake I'm sorry. There is no use to continue re-arguing it. Take it down to Richmond (the Circuit Court)." McDaniels protested further about the incomplete State Department documentation available to the jury. Judge Lewis replied: "The jury is only to get evidence that the court ruled admissible...[The

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jury] has everything that this court deems material and...admissible.” The defense again raised the question of the judge's denial of a postponement of the trial. Judge Lewis' reply: “The policy of the Supreme Court has been consistently to urge federal justice to be dispensed within a minimum length of time...Until the Court of Appeals and the Supreme Court...overrule the District Court judge, I am going to comply with their request, and I am really foolish for doing it because my golf would be much better if I tried one case a month.” The defense' statement to the subsequent appeals court: “The circumstances of the judge's ruling made it just as egregious and arbitrary (as in the Younpe case, where the Circuit Court found it a prejudicial error for the trial court to deny defendant's motion for postponement to secure absent witnesses). The interests of justice demanded the continuance (postponement); and the court's denial was a clear abuse of discretion.” The judge asked if the defense had any more objections and was told there were none. Judge Lewis said, “You only have no objection because you know it would do no good. You have no appeal.”

The court was recessed at 2:15 p.m., Friday, March 4 awaiting the jury's decision. At 4:20 p.m. the jury asked for definitions of second degree murder and voluntary manslaughter, and the judge gave them. At 4:35 p.m. the jury indicated that it had reached a verdict and entered the courtroom at 4:45 p.m. After Erdos was directed to stand, the clerk read the jury's decision: Alfred Erdos guilty of voluntary manslaughter. The jury was dismissed at 4:46 p.m.

The judge indicated that in view of the fact that Erdos had no criminal record and “the records are pretty good,” he was willing to refer this for a presentence investigation. After a short break, defense attorney McDaniels said that it would be appropriate to proceed with immediate sentencing on the understanding that Erdos would continue to receive psychiatric treatment and that he be eligible for parole. At the invitation of the judge, Erdos said, “I just want to say, Your Honor, to you and to the others in the courtroom that

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everything I said in court was the truth.” The judge's reaction (verbatim from the court record):

“Well, I don't think that anybody, frankly, and of course, it doesn't do any good to question the fact that so much of what you said in court wasn't true, because I don't believe that you said, you may have, I'm usually pretty good, I wouldn't have said anything about it if you said it but wouldn't be inadmissible like the agency, a man can't say he's insane, himself, and you know that makes evidence of insanity. I don't have any doubts in my mind, not the slightest, I'm not sure you have doubts in your mind that you didn't know what you were doing at the time you did it, but certainly didn't think, Mr. Erdos, that it was a premeditated killing. Had I thought so I would have let it go to the jury accordingly. I mean, I frankly think that it was, I think you had a very excellent jury. I think they were very attentive by the very definition that they gave. I think this was a killing, unlawful killing of a human being without malice, and that words mean more to me than it perhaps means to you because I know what it means technically, as a result of a sudden quarrel or heat of passion. I just don't believe it happened any other way. I mean, it just doesn't happen. Nobody just doesn't walk up and stab somebody else without some quarrel or something. Of course, he's had to pay as you will know, a heavy price, right or wrong, and take a lot of accusations that he's not here to defend himself on. I mean, it is serious. You didn't accuse him of being a homosexual. I'll give you credit. The Government drew him of that indirectly without charging, but the Government drew some inferences. But you did accuse him of being a betrayer of his country and Communist spy. I wouldn't want to be accused of being one, rightly or wrongly, particularly if I was in the foreign service. I wouldn't want under any conditions and I'm sure you wouldn't. As I say, he has paid the maximum penalty. There's nothing he can do about it. He can't even deny the allegations. He can't tell his side of the story because you took his side away from him.”

After this rambling moralizing, the judge sentenced Erdos to “confinement for 10 years.” Erdos was released pending the appeal, using the personal bond which had been produced earlier. Erdos was confined to the general Metropolitan Washington area. The

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court adjourned at 5:03 p.m. with no special emotion, as I recall. I was seated between Jean Erdos and Rosita Leahy and hugged both as we said our goodbyes.

When I got to my hotel, I received a call from Erdos, who invited me to come by for a drink. I found some reason why I could not. I was still making up my mind about various aspects of this harrowing saga and was not prepared for a “let bygones be bygones” session. I was dazed more than anything and had yet to sort out my thinking in important respects. My first priority was to get back to Cameroon and my family and to pick up the pieces of our relations with Equatorial Guinea. Then, too, my work in Cameroon had been disrupted by this event. It would be good therapy to resume activities in the more normal environment of Cameroon. As I used to say, “Cameroon is fun; Equatorial Guinea is work.”

### The Appeal

Oral arguments on the Erdos appeal were heard on October 30, 1972, in the U.S. Court of Appeals for the Fourth Circuit at Richmond, Judge Haynsworth presiding, and Judge Craven and Widener assisting.

The defense amassed much sophisticated documentation to support its arguments, which were essentially what was unsuccessfully argued in the District Court. To avoid repetition, I have listed those arguments followed by summaries of the Circuit Court rulings on three of the more significant ones:<sup>\*</sup>The trial court was without jurisdiction because Congress did not intend the provisions of 18 USC Section 7(3) to apply extraterritorially. The Circuit Court judges determined that Section 7(3) is a proper grant of “special” territorial jurisdiction embracing an embassy in a foreign country acquired for the use of the U.S. and under its concurrent jurisdiction. Further, the judges held that the same provision is “a specific grant of subject matter jurisdiction” with respect to manslaughter committed at a place within the special maritime and territorial jurisdiction of the U.S.

<sup>\*</sup>The District Court erred in denying the defendant's motion to dismiss for lack of venue. The Circuit court judges believed that there was ample evidence from which the

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district court could find that Erdos was not in custody within the meaning of 18 USC Section 3238 when his flight made an unscheduled stop in Boston and therefore the venue was appropriate in the Eastern District of Virginia since that was the district in which he was first arrested.

\*The trial judge erred in refusing to permit defense counsel to cross-examine a government psychiatrist on the basis of respectable psychiatric treatise. The Circuit Court judges held that it was error to restrict cross-examination from this text. But this error alone was not sufficient to justify reversal. Erdos was given every opportunity during the trial to present evidence supporting his defense of insanity. He was allowed ample latitude both in the direct examination of his numerous witnesses and on cross-examination of the court-appointed psychiatrists. We think, the judges concluded, the curtailing of the cross-examination of one witness from one particular treatise during a lengthy trial was not error so grave as to require reversal where extensive evidence was properly admitted on the issue in question. Erdos' rights were not substantially affected by this incorrect ruling, and we therefore disregard the error.

The Circuit Court judges considered the following 13 other defense arguments “without merit”:

- \*The trial court erred in denying the appellant's motions to continue (postpone) the trial.
- \*The trial court erred in arbitrary refusing to inquire into the reported sickness of one of the jurors.
- \*The trial court erred in excluding defense exhibits on the grounds that they constituted state secrets and then refusing to deny defendant's motion to discuss (the trial).
- \*The trial judge erred in excluding the text of a message prepared by Erdos on August 30.
- \*The trial judge erred in excluding as hearsay writings offered to show state of knowledge (mind).
- \*The trial judge erred in excluding an accusation that Erdos was involved in a plot against the Equatorial Guinean government.
- \*The trial judge erred in refusing to permit the defendant to identify and explain written documents, directing that they be turned over to the jury without being read.
- \*The trial judge erred in refusing to permit experienced psychiatric nurses to give an opinion on mental state and refusing to permit the same nurses to testify in surrebuttal to the claim of malingering.
- \*The trial

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judge erred in permitting Dr. Enos, a pathologist, to testify that the victim's death was a "homosexual murder."\*The trial judge erred in permitting Ronald Johnson to give an opinion testimony on the acoustics of the embassy vault.\*The trial judge erred in instructing the jury, as he had throughout the trial, to disregard the political situation of Equatorial Guinea and its diplomatic relations with the U.S.\*The trial judge erred in instructing the jury that the defense theory was that because Erdos believed Leahy was a communist agent he had a right to kill him and then instructing the jury that it was not a legal defense.\*The defendant was deprived of a fair trial as required by the Fifth and Sixth Amendments.

On February 14, 1973, the Circuit Court judges affirmed the lower court's decision. On March 15, 1973, the same court denied Erdos' petition for a rehearing, also a petition for reconsideration en banc.

On October 11, 1973, defense attorney Daniel notified Judge Lewis that the U.S. Supreme Court "has denied the petition for a writ of certiorari" in the Erdos case. Daniel noted, at the same time, "In imposing this sentence you stated that after the appeal had been completed you would consider a reduction (of this maximum sentence of 10 years) and that the reason for imposing the maximum at that time was because if anything developed via the appeal, including a retrial, neither you nor your successor, in the event you were no longer on the bench, would have his hands tied." Daniel said that he intended to make a formal application for reduction of the sentence and to request a hearing on the matter.After the Judicial Process

The Erdoses moved to San Diego after the conviction and Erdos continued his psychiatric treatment. Even before Erdos entered prison (Springfield Medical Center for Federal Prisoners) on November 8, 1973 Jean Erdos joined the Foreign Service, doing consular work. She changed her name to Jean Davis Bradley, taking her first husband's surname. The Erdoses lived separately although they did not divorce. Erdos was given a medical disability retirement with a pension. This bothered some Service personnel.



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In a letter of May 5, 1972, Erdos said to me that he had been given three options—resigning, being discharged for cause, or applying for a medical disability retirement. He chose the latter in the same letter, he said that he and Jean “feel very close to you and Connie (my wife).” He said that he and Jean feel better leaving Washington and heading for California, where his treatment would continue. I did not reply to the letter.

In approximately 1975, I received a call from defense attorney Daniel, at Erdos' behest, requesting a certificate of good character so that Erdos, then serving a reduced sentence of three years, could be released earlier. I asked for a copy of his prison record, which has since disappeared. I recall that it contained a statement by a prison official or physician that Erdos was safe to enter society if he did not experience stress. This prognosis was sufficient for me to rationalize that he had had his day in court and that American society was by nature stressful. Nor did I want Erdos to enter my office or home and show stress or worse as we revisited the case. I therefore informed Daniel that I could not be helpful in the circumstances. I am told that Erdos made other unsuccessful efforts to reenter Foreign Service circles.

As it evolved, Erdos served about one and a half years of his 10 year sentence and settled in San Diego until his death on March 10, 1982. Cause of his death was “myocardial infarction.” The death certificate includes a notation that for years he had suffered from “coronary artery disease and arteriosclerotic vascular disease.” He also was reported to be hypertense and diabetic. He was 58 years old at the time of his death. Jean Davis Bradley was his executor and sole heir of an estate of approximately \$250,000, including a house at 4540 Pescadero Avenue, San Diego, a fine silver and antique collection, and a 1972 Volkswagen Beetle. The son, Christopher, who must be in his late twenties, is said to be with Disney in Los Angeles.

I have not sought to interview Jean Davis Bradley Erdos but have told her of this project. I understand that she has suffered a stroke and is somewhat impaired in her speech when

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disturbed by recollection of this case. She has retired from the Foreign Service and lives in San Diego.

Rosita Leahy and I exchanged greetings for the first several years. I allowed this correspondence to die because I judged that her grieving process would not be enhanced by recollection of the horror of August 30. She now resides in Florida and is still reported to be in deep distress. I have not sought to see her. Fortunately she remains supported by an extended family.

### Reflections

The case boils down to a debate between two theories: (1) feigned insanity involving a homosexual murder (the prosecution with two court-appointed psychiatrists) and (2) temporary insanity with or without a homosexual act (the defense with its two psychiatrists).

My initial reaction to the event, i.e., after I helped piece together evidence and spoke with colleagues on the ground, was that this was a case of madness (insanity) brought on by the collapse of a man under heavy emotional strain. I had a limited role at the trial. Because I was a witness, I was not allowed in the courtroom prior to my testimony, and I was briefed extensively by the defense, which had called me as a witness. I was rejected by the prosecution for what attorney Gettings regarded as bias. A prosecuting attorney described me thusly: "Ambassador Hoffacker testified as a witness for the defense. A kind and sympathetic colleague of the defendant, his discussions with the foreign witnesses as to Erdos' actions and mental condition would naturally lack the objectivity which is assured by the presence of opposing counsel at a deposition or by rigorous cross-examination when the witness testifies in open court. This is all the more true in view of the fact that the Ambassador had his own definite views on the defendant's mental state." I, of course, was not being subjected to the impartiality tests of a potential juror and had a right to my own opinion.

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I have since analyzed most of the documentation on the case. Some crucial pieces are missing because they are lost or otherwise unavailable for my research. This, of course, is frustrating. Nonetheless, I now have a more complete picture of the men involved and of the trial itself.

There are some loose ends which I was unable or unwilling to pursue:\*(third hand) Leahy's daughter, who cannot be located, reportedly said that Leahy said that in August Erdos had threatened to kill him.\*(second hand) Dr. Moran, the Spanish doctor who removed Leahy's body to the Santa Isabel hospital morgue (where it remained in exclusive Equatorial Guinea hands for three days), volunteered some years later that sperm was found in Leahy's stomach during an autopsy (which Washington asked not to be performed). I have been unable to examine the Alexandria autopsy report.\*(fourth hand) Erdos was known to be homosexual on Santa Isabel. This report was heard after the Alexandria autopsy revealed the crucial semen, and this word spread fast on both sides of the Atlantic.

I still find it difficult to dismiss the possibility that the murder occurred in the context of a catathymic crisis, i.e., insanity that may occur in relation to homosexuality. I have read the Freedman/Kaplan material which the defense was unable to use in rebuttal of a government-appointed psychiatrist and which the Circuit Court judges felt should have been available for such questioning (See Appendix). I am also sobered by this excerpt from Willis:

“Orgasm is one of the most strongly registered compound sensory- emotional reactions present in life experience. Unfortunately, however, while it results in relief and instant pleasure, it is also often associated with archaic feelings of guilt which have come to be associated with taboos about genital pleasure taught in toilet training. These archaic guilt feelings may be so strongly conditioned that after orgasm there may be a compulsion to break the contact with the sexual partner and to flee the scene of the guilt-ridden activity. An extension of this neurotic guilt and fear-ridden desire to avoid any of the incidental attributes associated with guilt-ridden circumstances may even create phobic reactions.

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Not infrequently this guilty apprehension is converted to anger at the partner, and the guilt and shame is projected to the other person, who is seen as evil, dirty, or bad and deserving of punishment or even death. Consequently, the partner is disparaged and not infrequently abused. Episodes of murderous violence not infrequently result from such an unstable projection of massive feelings of guilt and self-hatred. This is a characteristic pattern in the psychodynamics of the person who violently attacks his homosexual partner. The attack is almost always subsequent to willing participation in a forbidden sexual act. (Stanley E. Williams, *Understanding and Counseling the Male Homosexual* (Little, Brown, 1967).

If in fact Erdos was suffering from temporary insanity—and the jury accepted the contrary argument—the application of the so-called M'Naghten rule should have led to an acquittal. The 1971 version of the M'Naghten rule specifies: “to establish a defense on the ground of insanity, it must be clearly proved that, at the time of the commitment of the act, the party accused was laboring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing; or if he did not know it that he did not know he was doing what as wrong.”

The jury remains, in effect, faceless. I found no way to profile jury members, as is the practice today. Jury members were apparently impacted heavily not only by the savagery of the murder but also by the homosexual action which seemed to have occurred in that context. There was virtually no discussion of whether such activity was at least partially consensual or whether Leahy possibly wished to terminate such activity. Nevertheless, the opprobrium attached to homosexuality in those days (1971-72) was certainly felt by the jury, and the prosecution played this to the hilt.

I appreciate that an adversary relationship can develop between the presiding judge and the defense in a case like this when the latter persists in all avenues to justify optimum evidence to clear his client. Attorneys McDaniels and Daniel aggressively pressed for all evidence to be presented to the jury and hit frequent hurdles with a judge who routinely

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overruled their objections. He did so brusquely and did not always give the rationale for his denials. I did my best not to be overly influenced by Judge Lewis' arbitrary, if not arrogant, demeanor, but I could not resist the temptation to acknowledge his apparent reputation as a "hanging judge." The Circuit Court did not agree with this view and dismissed the defense's argument that Erdos was not given a fair trial. I remain disturbed by such decisions as the judge's refusing to admit relevant (he called it irrelevant) testimony and other evidence, his ruling regularly against the defense on one objection or another, and his telling Erdos before the sentencing that he did not believe him. I retain my skepticism when I read what Wigmore, a universally respected jurist, has to say on insanity in general as evidenced by conduct:

Any and all conduct of the person is admissible in evidence...The mode of operation of the mind is ascertainable from the conduct of the person in question, i.e., from the effect produced by his surroundings on his mind, in his responding by actions to those surroundings...The surrounding are manifold...No single act can be of itself decisive...any act whatever may be significant to some extent. (John Henry Wigmore, *Treatise on the Anglo- American System of Evidence in Trials of Common Law* (Boston: Little, Brown, 1940).

In all fairness, it must be said that the Department, at my urging, pressed the judge to do nothing which would violate confidence disclosed by Erdos' diplomatic colleagues. Nor did we want to disturb whatever relations we maintained with the Equatorial Guinea government. We also asked the judge to protect Guinean sources who could be capriciously eliminated were they to be connected with the U.S. government. If the judge denied submission of evidence in these categories, he could have made such rationale evident to the jury or to others attending the trial. His normal denial of such evidence was done harshly, leaving an impression of arrogance and arbitrariness.

A major issue was the two-page decoded message prepared from the tape recovered from the burn bag. The defense said it was the lengthy message which Erdos was preparing

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with Leahy the morning of the murder. The defense called this message “perhaps the defense's single most important exhibit...(it) clearly expresses Erdos' delusionary state of mind and many of the ideas which he transmitted over the radio later in the afternoon. Since Leahy apparently did the coding, it demonstrates that Leahy was alive when these thoughts were expressed. Moreover, the method of the message preparation—coding—and its complex contents indicating specific review of previous arguments makes untenable the government's argument that between noon and 1:45 p.m. Erdos killed Leahy, concocted the cover up and conceived its form...The court never explicitly made clear the basis for its consistent refusal to admit the document. As noted, the Circuit Court regarded this argument “without merit.” Incidentally the District Court judge denied admission of 14 other messages on grounds of “confidential information which has no relevance in this case.” He also refused to admit evidence from Lannon Walker that a Minister said that Equatorial Guinean Ambassador Watson, under torture, claimed that the U.S. government and Erdos were plotting against the Equatorial Guinean government. The judge's retort: “That is another peg that you've got to rely on when you get to Richmond.” Judge Lewis was not schooled in diplomacy or foreign relations and he gave no indication of his desire to be schooled in those disciplines.

A lawyer involved in the case is of the opinion that the jury felt that in the light of the heinous nature of the crime, they thought they should do something. They settled for the lowest feasible punishment—voluntary manslaughter with a maximum of 10 years of confinement. As it turned out, Erdos was released in a year and a half.

Erdos had his day in court, in fact courts, since the case was referred to the U.S. Supreme Court. He hired a top drawer law firm to defend him. I am left with these further impressions:\*Those of us involved in Erdos' assignment were keenly conscious of the pressures involved in that job, and we had no reason to believe that cool, unflappable Al would cave in under those pressures. We could not foresee the homosexual stress identified by a pathologist after the event. His (Erdos') predecessor performed admirably for two and a half years under similar (except homosexual) pressures, and we expected

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Erdos to do as well. Nonetheless, I hope that the Department will review the Erdos case with a view to detecting in others such weaknesses as Erdos manifested before and during the event and will revise its assignment procedures accordingly. A former American employee at the embassy in Santa Isabel took an initiative immediately after the murder to prod the Department to review the process of such assignments.\*I regret that I was not in Yaounde when Erdos sounded his alarm on August 30. Had I been there, I, one of the few apparently outside Erdos' "conspiracy," would have gotten through to him and told him to sit tight until I got there. Of course, under the theory of his feigning insanity, it might have been too late. Nevertheless, I would have flown immediately to Santa Isabel and would have dealt with a somewhat different scenario from that which Walker, Shurtleff, Graves, and others on that fine team, none of whom knew Equatorial Guinea, faced.\*I cannot be more praiseworthy of that team, which, in the finest Foreign Service tradition, took charge and performed a virtual miracle in generating and orchestrating factors favorable to our objectives. I had confidence in the team even as I heard excerpts of the Erdos messages in Washington and as I accelerated my departure. Upon rereading the files, I see no action on their (the team's) part which could have been improved. As I spent the first day of my return in Santa Isabel, I felt to a great extent ceremonial as I sat down with the Equatorial Guinean ministers to hear their decisions in our favor. This is not to say that I was not nervous because if anything can go wrong, it is likely to do so in Equatorial Guinea.\*Our African and other diplomatic friends—and their governments—came to our assistance with or without our asking them to do so. This speaks eloquently of the esteem in which the U.S. was held even in dark corners of the earth like Equatorial Guinea. These friends, often without our knowing, took initiatives on our behalf with the sensitive and irrational Macias regime which could have damaged their own fragile relations.\*In retrospect, if Erdos had been in a larger post—say, Yaounde—other Americans would probably have detected his mental deterioration and would have taken immediate steps to treat him locally or ship him out to our medical facilities, as we occasionally had to do with those who broke under the strain of some foreign environments. No such option was available in Santa Isabel as Erdos said goodbye to the last American citizen and tried to settle down

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at his home opposite the police station, where prisoners loudly voiced their torture.\*This troubled man collapsed under emotional strain which was beyond his ability to resist. I am still bewildered why, to the best of my knowledge, he could not have found some way to register remorse for this dastardly act to extend some sort of sympathy to Leahy's widow. In her near-insane despair, she might have rejected such a gesture, but he should have proffered it nonetheless.

In my Monday morning quarter-backing, I have filled in important gaps in my knowledge of the case. I have not, however, reached any hard and fast conclusions to contradict the actual outcome. I doubt that the missing documentation—the medical, security, and personnel files of the two parties concerned and the celebrated burn bag message—would cast significant new light on the case. I am therefore more or less satisfied that I have pulled together most pieces in the drama. I shall leave it to others to voice their opinion or to revise the text.

Lewis Hoffacker Austin, Texas January 1997

### Appendix

Excerpts from Alfred M. Freedman and Harold I. Kaplan (editors). *Comprehensive Textbook of Psychiatry*. Baltimore: Williams and Williams, 1967.

Kraepelin gave to paranoia its present (1967) precise formulation, reserving the term for cases of chronic highly systematized, incurable delusions but without general personality deterioration...Freud conceived of the principal paranoia defense as projection, that is, the rejection from consciousness of some intolerable accusation against oneself...and the localization of it among other persons, known or unknown. This, even today, seems not merely to describe what we see happening in persons who become paranoid, but to make their delusional misinterpretations intelligible. It places paranoid delusions close enough to the misinterpretations of every day life and to the ancient, universal practice of finding scapegoats to make it worthwhile to study and work with the paranoid human being,



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instead of merely labeling him...Paranoiacs seem incapable of adapting their thinking to the consensus; they try rather to bend objective reality to accord with their delusional thinking...They are excessively concerned about what others think of them and that they show a progressive inability to validate or invalidate their suspicions or to correct their conclusions in personal matters. ...The (paranoid) patient frequently considers himself endowed with superior or unique abilities. The paranoid system is particularly isolated from much of the normal stream of consciousness...[The American Psychiatric Association Committee on Nomenclature] defined paranoid state, which is usually called paranoid reaction in the current literature, as characterized by delusions...It is likely to be of short duration although it may be persistent and chronic.

A great number of overtly homosexual persons never develop paranoid delusions, and a great many persons are paranoid without being homosexually oriented. It is easy enough to dismiss such clinical material with the challenge that at least latent homosexuality can be demonstrated in persons who develop paranoid reactions. But latent homosexuality is far more widely distributed than are paranoid reactions. There may be some relationship between the two; but, as Klaf et al. indicate, the relationship does not appear to be a causal one.

Paranoid eroticism. It is easily perceived that the eroticism of the paranoid person is a denial of his own desires and a projection of these desires upon another person. The other person may be someone that the patient actually perceives, however, incorrectly, as the object of his passion. It may also be someone imagined.

From what happens clinically in prosecutory paranoid reactions, one has to conclude that repression has all along been inadequate. In other words, there has been too much dependence upon denial and projection or disowning projection. This is the heart of the matter. In any emergency, these relatively infantile defenses take over and become predominant. A psychotic paranoid reaction then appears. It is probable, although not experimentally proved, that adults who develop paranoid reactions under stress have

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not been able to form or have not been given the necessary intimate close relationship with a loving mother or mother substitute. The onset of paranoid delusions of persecution typically occurs in a setting of environmental or interpersonal stress. It is generally believed that this happens most often in adults who have habitually found fault with everyone but themselves and whose accusations against their acquaintances sound very much like vignettes of themselves. The same kind of thing occurs less benignly when a paranoid person begins by expressing open distrust, suspicion, hostility, and self-reference, although these attitudes appear unjustified to his friends and relatives. If they oppose him or try reasoning with him, they are likely to become frightened by him, especially if he reacts by accusing them of also being parties to his fantasied persecution, which paranoid patients often do. The major defect of the paranoid reactions, under these circumstances, is to isolate and estrange the patient at the very moment when he needs someone to confide in and to help him. The onset of a paranoid reaction may be sudden. In that case it represents the sudden breakdown of an adaptive and defensive system that had previously been adequate for all ordinary practical purposes.

The precipitating situation in a paranoid psychosis may seem trivial to persons who have maintained faith in the patient's intrinsic ability to deal with increased stress. This misplaced confidence has been concealing the patient's actual situation from those close to him. In these situations, a psychotic development may proceed behind a facade of apparent health, until the patient is no longer able to control his impulses or conceal his illness. When this point is reached, the open manifestations of paranoid psychosis may indeed appear abruptly, even though they have been going through a relatively slow internal evolution for some time.

The paranoid patient becomes, as anyone in objective danger becomes, watchful and uneasy, uncertain of what is going on around him. The more his suspicions and misgivings increase, the more he examines—distrustfully—his environment. And the greater his suspicions and misgivings, the less he can depend on anyone but himself to investigate the situation. Unfortunately for him, he has always depended on solitary observation; he

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has always looked for and found hidden meanings; he has always depended on the use of leading questions and the search for hidden clues. The more a person with these attitudes and habitual techniques examines any situation, the more likely he is to conclude that 'something is going on'—something of personal importance that eludes him.

To a fearful, suspicious, vigilant, anxious paranoid person, everything around him seems to justify and reinforce his distrust. His human environment appears to be conspiring to make him uneasy and on guard. He finds things at home or at work purposefully disarranged, as if to test his vigilance or his intelligence...All the time, the plot is thickening, the mystery seems to grow and grow. The patient's need for some explanation of all that is going on becomes irresistible.

Paranoid reactions involve a great deal of anxiety. Once paranoid suspicions have been aroused, they have to be dealt with. Even a mistaken conclusion seems more comforting than no conclusion at all.

It is inevitable that anyone so beset should try to communicate with someone else about all these things going on. The difficulty is that the patient has already concluded that he is being persecuted. If he tries to communicate all this to someone, his listener is almost sure to express his doubts. Since the listener does not share the patient's projected hostility and fear, he is likely to expostulate and confront the patient with realistic evidence that he is wrong. This is a mistake. To the patient, his own interpretations are so self-evident that only an idiot or an enemy could possibly doubt them. An enemy? Yes, the paranoid patient is on the lookout for enemies, and now he can only conclude that the man he has just confided in is among his enemies. The man does not believe the patient. Therefore he is trying to deceive him, so as to make the patient an easier prey.

He may already feel that 'they' are planning something, plotting something against him. But he can say neither what that something is nor who they are who plot against him. The final step in a paranoid reaction is to find answers for these questions: who 'they' are

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and what they are up to. It is this step that leads to the formation of a pseudo community, a group of real and imagined persons bent on destroying the patient's reputation or his life. Such a delusional organization is called a pseudo community because the real and imagined persons making it up are not, in fact, united against the patient at all. The 'they' the patient conjures up have no factual existence, and there is, in fact, no plot against him. Like a manifest dream, the pseudo community is the patient's own construction. It seems dangerous or even murderous because he has denied and projected into this fantasy his own hostility, which he can no longer manage in any other way.

The alleged plot is actually an organization of the patient's own hostility, which somewhat in the manner of the director of a play, he allots to specific persons or agencies around him. His story, if he confides it to anyone, sounds like a mystery story. It is, however, a dangerous story because the patient may at any time take action against any of his unsuspecting persecutors. This crystallization of a pseudo community from the obscure hostility, fears, and suspicions preceding it confers upon the paranoid patient a certainty that, for the first time, he understands what is going on around him. He thus replaced the confusion of his newly unrepressed hostility, suspicion, and fear with the clarity of a delusional reality. One of the most common statements of such a patient when he has finally constructed his delusional pseudo community of plotters is: "Now everything has become clear to me!"

The paranoid patient occasionally shows outbursts of acute anger or bitterness. This makes other people avoid him, thus increasing his loneliness and in some instances leading to the development of an over-all paranoid personality.

In fortunate cases the complaints lead paranoid patients to psychiatric help. Paranoid hostility and suspiciousness, however, may extend to all authoritarian figures. If a paranoid patient feels that he can trust no one, he may decide impulsively to flee from the pseudo community or to attack someone within it.

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As for the acute paranoid reaction, whatever its form, it is usually amenable to therapy, provided the therapist maintains his distance and is never for a moment dishonest or discriminatory with the patient. Often...the patient with an acute paranoid reaction makes rapid process once he has convinced himself that he is dealing with a neutral therapist who is thoroughly reliable. Such a therapist may be the paranoid patient's first contact with someone he can trust. The course may be long, or it may be quite fleeting, depending on how well the therapist does and how well the patient can profit by the situation.

What the patient suffering a paranoid disorder needs most is understanding without condescension. Almost all paranoid persons are distrustful of others, usually because significant individuals in their immediate and remote past have let them down, over and over, time and again. They were not given the usual opportunities as infants to develop what Erikson has called basic trust: they lived through a childhood in which significant persons proved undependable or outright rejecting. It is no wonder that they experience adulthood the same way.

Dissolution of a homosexual relationship may lead a partner who feels rejected and abandoned to act out grossly destructive behavior, occasionally even murder. Jealousy is but one manifestation of mistrust of the partner. It derives from fears of being exploited, treated inconsiderately, dominated, humiliated, and disappointed in the fulfillment of a range of unrealistic wishes rooted in pathological dependency. Suspicion and fear, in large part, determine the turbulence and brief duration of homosexual relationships.

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